

211. Whoever, with intent to cause injury to any person, institutes or causes to be instituted any criminal proceeding against that person, or falsely charges any person with having committed an offence, knowing that there is no just or lawful ground for such proceeding or charge against that person, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both; and if such criminal proceeding be instituted on a false charge of an offence punishable with death, transportation for life, or imprisonment for seven years or upwards, shall be punishable with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

212. Whenever an offence has been committed, whoever harbours or conceals a person whom he knows or has reason to believe to be the offender, with the intention of screening him from legal punishment, shall, if the offence is punishable with death,

be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine; and if the offence is punishable with death,

shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and if the offence is punishable with imprisonment which may extend to one year and not to ten years, shall be punished with imprisonment of the description provided for the offence for a term which may extend to one-fourth part of the longest term of imprisonment provided for the offence, or with fine, or with both.

*Exception.*—This provision shall not extend to any case in which the harbour or concealment is by the husband or wife of the offender.

*Illustration.*

A, knowing that B has committed dacoity, knowingly conceals B in order to screen him from legal punishment. Here, as B is liable to transportation for life, A is liable to imprisonment of either description for a term not exceeding three years, and is also liable to fine.

213. Whoever accepts or attempts to obtain,

or agrees to accept, any gratification for himself or any other person, or any restitution of property to himself or any other person, in consideration of his concealing an offence or of his screening any person from legal punishment for any offence, or of his not proceeding against any person for the purpose of bringing him to legal punishment, shall, if the offence is punishable with death,

be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine; and if the offence is punishable with transportation for life, or with imprisonment which may extend to ten years, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and if the offence is punishable with imprisonment not extending to ten years, shall be punished with imprisonment of the description provided for the

offence for a term which may extend to one-fourth part of the longest term of imprisonment provided for the offence, or with fine, or with both.

214. Whoever gives or causes, or offers or

agrees to give or cause, any gratification to any person, or to restore or cause the restoration of any property to any person, in consideration of that person's concealing an offence, or of his screening any person from legal punishment for any offence, or of his not proceeding against any person for the purpose of bringing him to legal punishment, shall, if the offence is punishable with death, be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine; and if the offence is punishable with transportation for life, or with imprisonment which may extend to ten years, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and if the offence is punishable with imprisonment not extending to ten years, shall be punished with imprisonment of the description provided for the offence for a term which may extend to one-fourth part of the longest term of imprisonment provided for the offence, or with fine, or with both.

*Exception.*—The provisions of Sections 213 and 214 do not extend to any case in which the offence consists only of an act irrespective of the intention of the offender, and for which act the person injured may bring a civil action.

*Illustrations.*

(a) A assaults B with intent to commit murder. Here, as the offence does not consist of the assault only, irrespective of the intention to commit murder, it does not fall within the exception, and cannot therefore be compounded.

(b) A assaults B. Here, as the offence consists simply of the act, irrespective of the intention of the offender, and as B may have a civil action for the assault, it is within the exception and may be compounded.

(c) A commits the offence of bigamy. Here, as the offence is not the subject of a civil action, it cannot be compounded.

(d) B commits the offence of adultery with a married woman. The offence may be compounded.

215. Whoever takes or agrees or consents

to take any gratification under pretence or on account of helping any person to recover any moveable property of which he shall have been deprived by any offence punishable under this Code, shall, unless he uses all means in his power to cause the offender to be apprehended and convicted of the offence, be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

216. Whenever any person convicted of or

charged with an offence, being in lawful custody for that offence, escapes from such custody, or whenever a public servant, in the exercise of the lawful powers of such public servant, orders a certain person to be apprehended for an offence, whoever, knowing of such escape or order for apprehension, harbours or conceals that person with the intention of preventing him from being apprehended, shall be punished in the manner following, that is to say, if the offence for which

he is charged with an offence, being in lawful custody for that offence, escapes from such custody, or whenever a public servant, in the exercise of the lawful powers of such public servant, orders a certain person to be apprehended for an offence, whoever, knowing of such escape or order for apprehension, harbours or conceals that person with the intention of preventing him from being apprehended, shall be punished in the manner following, that is to say, if the offence for which

he is charged with an offence, being in lawful custody for that offence, escapes from such custody, or whenever a public servant, in the exercise of the lawful powers of such public servant, orders a certain person to be apprehended for an offence, whoever, knowing of such escape or order for apprehension, harbours or conceals that person with the intention of preventing him from being apprehended, shall be punished in the manner following, that is to say, if the offence for which

the person was in custody or is ordered to be

If a capital offence, apprehended is punishable with death, he shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine; if the offence is punishable with transportation for life, or imprisonment for ten

If punishable with transportation for life, or with imprisonment, tend to three years, with or

without fine; and if the offence is punishable with imprisonment which may extend to one year and not to ten years, he shall be punished with imprisonment of the description provided for the offence for a term which may extend to one-fourth part of the longest term of the imprisonment provided for such offence, or with fine, or with both.

*Exception.*—This provision does not extend to the case in which the harbour or concealment is by the husband or wife of the person to be apprehended.

217. Whoever, being a public servant, knowingly disobeys any direction of the law as to the way in which he is to conduct himself as such public servant, intending thereby to save, or knowing it to be likely that he will there-

by save, any person from legal punishment, or subject him to a less punishment than that to which he is liable, or with intent to save, or knowing that he is likely thereby to save any property from forfeiture or any charge to which it is liable by law, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

218. Whoever, being a public servant, and being, as such public servant, charged with the preparation of any record or other writing, frames that record or writing in a manner which he knows to be incorrect, with intent to

cause, or knowing it to be likely that he will thereby cause loss or injury to the public or to any person, or with intent thereby to save, or knowing it to be likely that he will thereby save, any person from legal punishment, or with intent to save, or knowing that he is likely thereby to save any property from forfeiture or other charge to which it is liable by law, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

219. Whoever, being a public servant, corruptly or maliciously makes or pronounces in any stage of a judicial proceeding, any report, order, verdict, or decision which he knows to be contrary to law, shall be punished with

imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

220. Whoever, being in any office which gives him legal authority to commit persons for trial or to confinement, or to keep persons in confinement, corruptly or maliciously commits any person for trial or to confinement, or keeps any person in confinement in the exercise

of that authority, knowing that in so doing he is acting contrary to law, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

221. Whoever, being a public servant, legally bound as such public servant to apprehend or to keep in confinement any person charged with or liable to be apprehended for an offence, intentionally omits to apprehend such person, or intentionally suffers such person to escape or intentionally aids such person in escaping or attempting to escape from such confinement, shall be punished as follows, that is to say :

With imprisonment of either description for a term which may extend to seven years, with or without fine, if the person in confinement, or who ought to have been apprehended, was charged with, or liable to be apprehended for an offence punishable with death; or

With imprisonment of either description for a term which may extend to three years, with or without fine, if the person in confinement, or who ought to have been apprehended, was charged with, or liable to be apprehended for an offence punishable with transportation for life or imprisonment for a term which may extend to ten years; or

With imprisonment of either description for a term which may extend to two years, with or without fine, if the person in confinement, or who ought to have been apprehended, was charged with, or liable to be apprehended for an offence punishable with imprisonment for a term less than ten years.

222. Whoever, being a public servant, legally bound as such public servant to apprehend or to keep in confinement any person under sentence of a Court of Justice for any offence, intentionally omits to apprehend such person, or intentionally suffers such person to escape, or intentionally aids such person in escaping or attempting to escape from such confinement, shall be

punished as follows, that is to say :

With transportation for life, or with imprisonment of either description for a term which may extend to fourteen years, with or without fine, if the person in confinement, or who ought to have been apprehended, is under sentence of death; or

With imprisonment of either description for a term which may extend to seven years, with or without fine, if the person in confinement, or who ought to have been apprehended, is subject by a sentence of a Court of Justice, or by virtue of a commutation of such sentence, to transportation for life or penal servitude for life, or to transportation or penal servitude or imprisonment for a term of ten years or upwards; or

With imprisonment of either description for a term which may extend to three years, or with fine, or with both, if the person in confinement, or who ought to have been apprehended, is subject by a sentence of a Court of Justice to imprisonment for a term not extending to ten years.

223. Whoever, being a public servant, legally bound as such public servant to keep in confinement any person charged with or convicted of any offence, negligently suffers such person to escape from confinement, shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both.

224. Whoever intentionally offers any resistance or illegal obstruction to the lawful apprehension of himself for any offence with which he is charged or of which he has been convicted, or escapes or attempts to escape from any custody in which he is lawfully detained for any such offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

*Explanation.*—The punishment in this Section is in addition to the punishment for which the person to be apprehended or detained in custody was liable for the offence with which he was charged, or of which he was convicted.

225. Whoever intentionally offers any resistance or illegal obstruction to the lawful apprehension of any other person for an offence, or rescues or attempts to rescue any other person from any custody in which that person is lawfully detained for an offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both;

Or, if the person to be apprehended, or the person rescued or attempted to be rescued, is charged with, or liable to be apprehended for an offence punishable with transportation for life, or imprisonment for a term which may extend to ten years, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine;

Or, if the person to be apprehended or rescued, or attempted to be rescued, is charged with, or liable to be apprehended for an offence punishable with death, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine;

Or, if the person to be apprehended or rescued, is liable, under the sentence of a Court of Justice or by virtue of a commutation of such a sentence, to transportation for life, or to transportation, penal servitude, or imprisonment, for a term of ten years or upwards, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine;

Or, if the person to be apprehended or rescued, or attempted to be rescued, is under sentence of death, shall be punished with transportation for life, or imprisonment of either description for a term not exceeding ten years, and shall also be liable to fine.

226. Whoever, having been lawfully transported, returns from such transportation, the term of such transportation not having expired, and his punishment not having been remitted, shall be punished with transportation for life, and shall also be liable to fine, and to be imprisoned with rigorous imprisonment for a term not exceeding three years before he is so transported.

227. Whoever, having accepted any conditional remission of punishment, knowingly violates any condition on which such remission was granted, shall be punished with the punishment to which he was originally sentenced, if he has already suffered no part of that punishment, and if he has suffered any part of that punishment, then with so much of that punishment as he has not already suffered.

228. Whoever intentionally offers any insult, or causes any interruption to any public servant, while such public servant is sitting in any stage of a judicial proceeding, shall be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

229. Whoever, by personation or otherwise, shall intentionally cause, or knowingly suffer himself to be returned, empanelled, or sworn as a jurymen or assessor in any case in which he knows that he is not entitled by law to be so returned, empanelled, or sworn, or, knowing himself to have been so returned, empanelled, or sworn contrary to law, shall voluntarily serve on such jury or as such assessor, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

## CHAPTER XII.

### OF OFFENCES RELATING TO COIN AND GOVERNMENT STAMPS.

230. Coin is metal used as money stamped and issued by the authority of some Government in order to be used.

Coin stamped and issued by the authority of the Queen, or by the authority of the Government of India or of the Government of any Presidency or of any Government in the Queen's Dominions, is the Queen's coin.

#### *Illustrations.*

- (a) Cowries are not coin.
- (b) Lumps of unstamped copper, though used as money, are not coin.
- (c) Medals are not coin, inasmuch as they are not intended to be used as money.
- (d) The coin denominated as the Company's Rupee is the Queen's coin.

231. Whoever counterfeits, or knowingly performs any part of the process of counterfeiting coin, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

*Explanation.*—A person commits this offence, who, intending to practise deception, or knowing it to be likely that deception will thereby be practised, causes a genuine coin to appear like a different coin.

232. Whoever counterfeits, or knowingly performs any part of the process of counterfeiting the Queen's coin, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.



233. Whoever makes or mends, or performs any part of the process of making or mending, or buys, sells, or disposes of, any die or instrument, for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for the purpose of counterfeiting coin, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

234. Whoever makes or mends, or performs any part of the process of making or mending, or buys, sells, or disposes of, any die or instrument, for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for the purpose of counterfeiting the Queen's coin, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

235. Whoever is in possession of any instrument or material, for the purpose of using the same for counterfeiting coin, or knowing or having reason to believe that the same is intended to be used for that purpose, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and if the coin to be counterfeited is the Queen's coin, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

236. Whoever, being within British India, abets the counterfeiting of coin out of British India, shall be punished in the same manner as if he abetted the counterfeiting of such coin within British India.

237. Whoever imports into British India, or exports therefrom, any counterfeit coin, knowing or having reason to believe that the same is counterfeit, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

238. Whoever imports into British India, or exports therefrom, any counterfeit coin, which he knows, or has reason to believe to be a counterfeit of the Queen's coin, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

239. Whoever, having any counterfeit coin, which at the time when he became possessed of it he knew to be counterfeit, fraudulently or with intent that fraud may be committed, delivers the same to any person, or attempts to induce any person to receive it, shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

240. Whoever, having any counterfeit coin which is a counterfeit of the Queen's coin, and which, at the time when he became possessed of it, he knew to be a counterfeit of the Queen's coin, fraudulently or with intent that fraud may be committed, delivers the same to any person, or attempts to induce any person to receive it, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

241. Whoever delivers to any other person as genuine, or attempts to induce any other person to receive as genuine, any counterfeit coin, which he knows to be counterfeit, but which he did not know to be counterfeit at the time when he took it into his possession, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine to an amount which may extend to ten times the value of the coin counterfeited, or with both.

#### Illustration.

A a coiner, delivers counterfeit Company's Rupees to his accomplice B, for the purpose of uttering them. B sells the Rupees to C, another utterer, who buys them knowing them to be counterfeit. C pays away the Rupees for goods to D, who receives them not knowing them to be counterfeit. D, after receiving the Rupees, discovers that they are counterfeit, and pays them away as if they were good. He is punishable only under this Section, but B and C are punishable under Section 239 or 240, as the case may be.

242. Whoever fraudulently or with intent that fraud may be committed, is in possession of counterfeit coin, having known at the time when he became possessed thereof, that such coin was counterfeit, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

243. Whoever fraudulently or with intent that fraud may be committed is in possession of counterfeit coin, which is a counterfeit of the Queen's coin, having known at the time when he became possessed of it that it was counterfeit, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

244. Whoever, being employed in any mint lawfully established in British India, does any act, or omits what he is legally bound to do, with the intention of causing any coin issued from that mint to be of a different weight or composition from the weight or composition fixed by law, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

245. Whoever, without lawful authority, takes out of any mint, lawfully established in British India, any coining tool or instrument, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**216.** Whoever fraudulently or dishonestly performs on any coin any operation which diminishes the weight or alters the composition of that coin, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

*Explanation.*—A person who scoops out part of the coin, and puts any thing else into the cavity, alters the composition of that coin.

**217.** Whoever fraudulently or dishonestly performs on any of the Queen's coin any operation which diminishes the weight or alters the composition of that coin, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

*Altering appearance of any coin with intent that it shall pass as a coin of a different description.*

**218.** Whoever performs on any coin any operation which alters the appearance of that coin, with the intention that the said coin shall pass as a coin of a different description, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

*Altering appearance of the Queen's coin with intent that it shall pass as a coin of a different description.*

**219.** Whoever performs on any of the Queen's coin any operation which alters the appearance of that coin, with the intention that the said coin shall pass as a coin of a different description, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

*Delivery to another of coin possessed with the knowledge that it is altered.*

**220.** Whoever, having coin in his possession with respect to which the offence defined in Section 216 or 248 has been committed, and having known at the time when he became possessed of such coin that such offence had been committed with respect to it, fraudulently or with intent that fraud may be committed, delivers such coin to any other person, or attempts to induce any other person to receive the same, shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

*Delivery of Queen's coin possessed with the knowledge that it is altered.*

**221.** Whoever having coin in his possession with respect to which the offence defined in Section 217 or 249 has been committed, and having known at the time when he became possessed of such coin that such offence had been committed with respect to it, fraudulently or with intent that fraud may be committed, delivers such coin to any other person, or attempts to induce any other person to receive the same, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**222.** Whoever fraudulently or with intent that fraud may be committed is in possession of coin with respect to which the offence defined in either of the Sections 216 or 248 has been committed, having known at the time of

becoming possessed thereof that such offence had been committed with respect to such coin, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

**223.** Whoever fraudulently or with intent that fraud may be committed is in possession of coin with respect to which the offence defined in either of the Sections 217 or 219 has been committed, having known at the time of

becoming possessed thereof that such offence had been committed with respect to such coin, shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

**224.** Whoever delivers to any other person as genuine, or as a coin of a different description from what it is, or attempts to induce any person to receive as genuine, or as a different coin from what it is, any coin in respect of which he knows that any such operation as that mentioned in Sections 216, 217, 218, or 219, has been performed, but in respect of which he did not at the time when he took it into his possession know that such operation had been performed, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine to an amount which may extend to ten times the value of the coin for which the altered coin is passed, or attempted to be passed.

**225.** Whoever counterfeits, or knowingly performs any part of the process of counterfeiting, any stamp issued by Government for the purpose of revenue, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

*Explanation.*—A person commits this offence who counterfeits by causing a genuine stamp of one denomination to appear like a genuine stamp of a different denomination.

**226.** Whoever has in his possession any instrument or material for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for the purpose of counterfeiting any stamp issued by Government for the purpose of revenue, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**227.** Whoever makes, or performs any part of the process of making, or buys, or sells, or disposes of, any instrument for the purpose of being used, or knowing or having reason to believe that it is intended to be used, for the purpose of counterfeiting any stamp issued by Government for the purpose of revenue, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

258. Whoever sells, or offers for sale, any stamp which he knows, or has reason to believe to be a counterfeit of any stamp issued by Government for the purpose of revenue, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

259. Whoever has in his possession any stamp which he knows to be a counterfeit of any stamp issued by Government for the purpose of revenue, intending to use or dispose of the same as a genuine stamp or in order that it may be used as a genuine stamp, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

260. Whoever uses as genuine any stamp knowing it to be a counterfeit of any stamp issued by Government for the purpose of revenue, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

261. Whoever, fraudulently or with intent to cause loss to the Government, removes or effaces from any substance bearing any stamp issued by Government for the purpose of revenue, any writing or document for which such stamp has been used, or removes from any writing or document a stamp which has been used for such writing or document, in order that such stamp may be used for a different writing or document, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

262. Whoever, fraudulently or with intent to cause loss to the Government, uses for any purpose a stamp issued by Government for the purpose of revenue which he knows to have been before used, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

263. Whoever, fraudulently or with intent to cause loss to Government, erases or removes from a stamp issued by Government for the purpose of revenue any mark put or impressed upon such stamp for the purpose of denoting that the same has been used, or knowingly has in his possession, or sells, or disposes of, any such stamp from which such mark has been erased or removed, or sells or disposes of any such stamp which he knows to have been used, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

### CHAPTER XIII.

#### OF OFFENCES RELATING TO WEIGHTS AND MEASURES.

264. Whoever fraudulently uses any instrument for weighing which he knows to be false, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

265. Whoever fraudulently uses any false measure of weight or false measure of length or capacity, or fraudulently uses any weight or any measure of length or capacity as a different weight or measure from what it is, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

266. Whoever is in possession of any instrument for weighing, or of any weight, or of any measure of length or capacity, which he knows to be false, and intending that the same may be fraudulently used, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

267. Whoever makes, sells, or disposes of, any instrument for weighing, or any weight, or any measure of length or capacity which he knows to be false, in order that the same may be used as true, or knowing that the same is likely to be used as true, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

### CHAPTER XIV.

#### OF OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY, AND MORALS.

268. A person is guilty of a public nuisance, who does any act, or is guilty of an illegal omission which causes any common injury, danger, or annoyance to the public or to the people in general who dwell or occupy property in the vicinity, or which must necessarily cause injury, obstruction, danger, or annoyance to persons who may have occasion to use any public right.

A common nuisance is not excused on the ground that it causes some convenience or advantage.

269. Whoever unlawfully or negligently does any act which is, and which he knows or has reason to believe to be likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.

270. Whoever malignantly does any act which is, and which he knows, or has reason to believe to be likely to spread the infection of any disease dangerous to life, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

271. Whoever knowingly disobeys any rule made and promulgated by the Government of India, or by any Government, for putting any vessel into a state of quarantine, or for regulating the intercourse of vessels in a state of quarantine with the shore, or with other vessels, or for regulating the intercourse between places where an infectious disease prevails, and other places, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine, or with both.



272. Whoever adulterates any article of food or drink, so as to make such article noxious as food or drink, intending to sell such article as food or drink, or knowing it to be likely that the same will be sold as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

273. Whoever sells, or offers or exposes for sale, as food or drink, any article which has been rendered or has become noxious, or is in a state unfit for food or drink, knowing or having reason to believe that the same is noxious as food or drink, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

274. Whoever adulterates any drug or medical preparation in such a manner as to lessen the efficacy, or change the operation of such drug or medical preparation, or to make it noxious, intending that it shall be sold or used for, or knowing it to be likely that it will be sold or used for any medicinal purpose, as if it had not undergone such adulteration, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

275. Whoever, knowing any drug or medical preparation to have been adulterated in such a manner as to lessen its efficacy, to change its operation, or to render it noxious, sells the same, or offers or exposes it for sale, or issues it from any dispensary for medicinal purposes as unadulterated, or causes it to be used for medicinal purposes by any person not knowing of the adulteration, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

276. Whoever knowingly sells, or offers or exposes for sale, or issues from a dispensary for medicinal purposes, any drug or medical preparation as a different drug or medical preparation, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

277. Whoever voluntarily corrupts or fouls the water of any public spring or reservoir, so as to render it less fit for the purpose for which it is ordinarily used, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred Rupees, or with both.

278. Whoever voluntarily vitiates the atmosphere in any place so as to make it noxious to the health of persons in general dwelling or carrying on business in the neighbourhood or passing along a public way, shall be punished with fine which may extend to five hundred Rupees.

279. Whoever drives any vehicle, or rides, on any public way in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

280. Whoever navigates any vessel in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

281. Whoever exhibits any false light, mark, or buoy, intending or knowing it to be likely that such exhibition will mislead any navigator, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

282. Whoever knowingly or negligently conveys or causes to be conveyed by water for hire in any vessel, when that vessel is in such a state or so loaded as to endanger the life of that person, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

283. Whoever, by doing any act, or by omitting to take order with any property in his possession or under his charge, causes danger, obstruction, or injury to any person in any public way or public line of navigation, shall be punished with fine which may extend to two hundred Rupees.

284. Whoever does, with any poisonous substance, any act in a manner so rash or negligent as to endanger human life, or to be likely to cause hurt or injury to any other person, or knowingly or negligently omits to take such order with any poisonous substance in his possession as is sufficient to guard against any probable danger to human life from such poisonous substance, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

285. Whoever does, with fire or any combustible matter, any act so rashly or negligently as to endanger human life, or to be likely to cause hurt or injury to any other person, or knowingly or negligently omits to take such order with any fire or any combustible matter in his possession as is sufficient to guard against any probable danger to human life from such fire or combustible matter, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

296. Whoever does, with any explosive substance, any act so rashly or negligently as to endanger human life, or to be likely to cause hurt or injury to any other person, or knowingly or negligently omits to take such order with any explosive substance in his possession as is sufficient to guard against any probable danger to human life from that substance, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

297. Whoever does, with any machinery, any act so rashly or negligently as to endanger human life, or to be likely to cause hurt or injury to any other person, or knowingly or negligently omits to take such order with any machinery in his possession or under his care as is sufficient to guard against any probable danger to human life from such machinery, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

298. Whoever, in pulling down or repairing any building, knowingly or negligently omits to take such order with that building as is sufficient to guard against any probable danger to human life from the fall of that building, or of any part thereof, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

299. Whoever knowingly or negligently omits to take such order with any animal in his possession as is sufficient to guard against any probable danger to human life, or any probable danger of grievous hurt from such animal, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to one thousand Rupees, or with both.

300. Whoever commits a public nuisance in any case not otherwise punishable by this Code, shall be punished with fine which may extend to two hundred Rupees.

301. Whoever repeats or continues a public nuisance, having been enjoined by any public servant who has lawful authority to issue such injunction not to repeat or continue such nuisance, shall be punished with simple imprisonment for a term which may extend to six months, or with fine, or with both.

302. Whoever sells or distributes, imports or prints for sale or hire, or willfully exhibits to public view, any obscene book, pamphlet, paper, drawing, painting, representation, or figure, or attempts or offers so to do, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.

*Exception.*—This Section does not extend to any representation sculptured, engraved, painted, or

otherwise represented, on or in any temple, or on any car used for the conveyance of idols, or kept or used for any religious purpose.

293. Whoever has in his possession any such obscene book or other thing as is mentioned in the last preceding Section for the purpose of sale, distribution, or public exhibition, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.

294. Whoever sings, recites, or utters in or near any public place any obscene songs, or words to the annoyance of others, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.

## CHAPTER XV.

### OF OFFENCES RELATING TO RELIGION.

295. Whoever destroys, damages, or defiles any place of worship, or any object held sacred by any class of persons with the intention of thereby insulting the religion of any class of persons, or with the knowledge that any class of persons is likely to consider such destruction, damage, or defilement as an insult to their religion, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

296. Whoever voluntarily causes disturbance to any assembly lawfully engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

297. Whoever, with the intention of wounding the feelings of any person, or of insulting the religion of any person, or with the knowledge that the feelings of any person are likely to be wounded, or that the religion of any person is likely to be insulted thereby, commits any trespass in any place of worship or on any place of sepulture or any place set apart for the performance of funeral rites or as a depository for the remains of the dead, or offers any indignity to any human corpse, or causes disturbance to any persons assembled for the performance of funeral ceremonies, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

298. Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person, or makes any gesture in the sight of that person, or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

Uttering words, &c., with deliberate intent to wound the religious feelings of any person.



# CHAPTER XVI. OF OFFENCES AFFECTING THE HUMAN BODY.

## OF OFFENCES AFFECTING LIFE.

299. Whoever causes death by doing an act with the intention of causing death, or with the intention of causing such bodily injury as is likely to cause death, or with the knowledge that he is likely by such act to cause death, commits the offence of culpable homicide.

### Illustrations.

(a) A lays sticks and turf over a pit, with the intention of thereby causing death, or with the knowledge that death is likely to be thereby caused. Z, believing the ground to be firm, treads on it, falls in, and is killed. A has committed the offence of culpable homicide.

(b) A knows Z to be behind a bush. B does not know it. A, intending to cause, or knowing it to be likely to cause Z's death, induces B to fire at the bush. B fires and kills Z. Here B may be guilty of no offence; but A has committed the offence of culpable homicide.

(c) A, by shooting at a fowl with intent to kill and steal it, kills B, who is behind a bush; A not knowing that he was there. Here, although A was doing an unlawful act, he was not guilty of culpable homicide, as he did not intend to kill B, or to cause death by doing an act that he knew was likely to cause death.

*Explanation 1.*—A person who causes bodily injury to another who is laboring under a disorder, disease, or bodily infirmity, and thereby accelerates the death of that other, shall be deemed to have caused his death.

*Explanation 2.*—Where death is caused by bodily injury, the person who causes such bodily injury shall be deemed to have caused the death, although by resorting to proper remedies and skilful treatment the death might have been prevented.

*Explanation 3.*—The causing of the death of a child in the mother's womb is not homicide. But it may amount to culpable homicide to cause the death of a living child, if any part of that child has been brought forth, though the child may not have breathed or been completely born.

300. Except in the cases hereinafter excepted, culpable homicide is murder, if the act by which the death is caused is done with the intention of causing death; or—

*2ndly.*—If it is done with the intention of causing such bodily injury as the offender knows to be likely to cause the death of the person to whom the harm is caused; or—

*3rdly.*—If it is done with the intention of causing bodily injury to any person and the bodily injury intended to be inflicted is sufficient in the ordinary course of nature to cause death; or—

*4thly.*—If the person committing the act knows that it is so imminently dangerous that it must in all probability cause death, or such bodily injury as is likely to cause death, and commits such act without any excuse for incurring the risk of causing death or such injury as aforesaid.

### Illustrations.

(a) A shoots Z with the intention of killing him. Z dies in consequence. A commits murder.

(b) A, knowing that Z is laboring under such a disease that a blow is likely to cause his death, strikes him with the intention of causing bodily injury. Z dies in consequence of the blow. A is guilty of murder, although the blow might not have been sufficient in the ordinary course of nature to cause the death of a person in a sound state of health. But if A, not knowing that Z is laboring under any disease, gives him such a blow as would not in the ordinary course of nature kill a person in a sound state of health, here A,

although he may intend to cause bodily injury, is not guilty of murder, if he did not intend to cause death, or such bodily injury as in the ordinary course of nature would cause death.

(c) A intentionally gives Z a sword-cut or club-wound sufficient to cause the death of a man in the ordinary course of nature. Z dies in consequence. Here, A is guilty of murder, although he may not have intended to cause Z's death.

(d) A without any excuse fires a loaded cannon into a crowd of persons and kills one of them. A is guilty of murder, although he may not have had a premeditated design to kill any particular individual.

*Exception 1.*—Culpable homicide is not murder if the offender, whilst deprived of the power of self-control by grave and sudden provocation, causes the death of the person who gave the provocation, or causes the death of any other person by mistake or accident.

The above exception is subject to the following provisos:—

*First.*—That the provocation is not sought or voluntarily provoked by the offender as an excuse for killing or doing harm to any person.

*Secondly.*—That the provocation is not given by anything done in obedience to the law or by a public servant in the lawful exercise of the powers of such public servant.

*Thirdly.*—That the provocation is not given by anything done in the lawful exercise of the right of private defence.

*Explanation.* Whether the provocation was grave and sudden enough to prevent the offence from amounting to murder is a question of fact.

### Illustrations.

(a) A, under the influence of passion excited by a provocation given by Z, intentionally kills Y, Z's child. This is murder, inasmuch as the provocation was not given by the child, and the death of the child was not caused by accident or misfortune in doing an act caused by the provocation.

(b) Y gives grave and sudden provocation to A. A, on this provocation, fires a pistol at Y, neither intending nor knowing himself to be likely to kill Z, who is near him, but out of sight. A kills Z. Here A has not committed murder but merely culpable homicide.

(c) A is lawfully arrested by Z, a bailiff. A is excited to sudden and violent passion by the arrest, and kills Z. This is murder, inasmuch as the provocation was given by a thing done by a public servant in the exercise of his powers.

(d) A appears as a witness before Z, a Magistrate. Z says that he does not believe a word of A's deposition and that A has perjured himself. A is moved to sudden passion by these words, and kills Z. This is murder.

(e) A attempts to pull Z's nose. Z, in the exercise of the right of private defence, lays hold of A to prevent him from doing so. A is moved to sudden and violent passion in consequence, and kills Z. This is murder, inasmuch as the provocation was given by a thing done in the exercise of the right of private defence.

(f) Z strikes B. B is by this provocation excited to violent rage. A, a by-stander, intending to take advantage of B's rage, and to cause him to kill Z, puts a knife into B's hand for that purpose. B kills Z with the knife. Here B may have committed only culpable homicide, but A is guilty of murder.

*Exception 2.*—Culpable homicide is not murder, if the offender in the exercise, in good faith, of the right of private defence of person or property, exceeds the power given to him by law and causes the death of the person against whom he is exercising such right of defence without premeditation, and without any intention of doing more harm than is necessary for the purpose of such defence.

### Illustration.

Z attempts to horse-whip A, not in such a manner as to cause grievous hurt to A. A draws out a pistol. Z persists in the assault. A believing in good faith that he can by no other means prevent himself from being horse-whipped, shoots Z dead. A has not committed murder, but only culpable homicide.

**Exception 3.**—Culpable homicide is not murder if the offender, being a public servant or aiding a public servant acting for the advancement of public justice, exceeds the powers given to him by law and causes death by doing an act which he in good faith believes to be lawful and necessary for the due discharge of his duty as such public servant and without ill-will towards the person whose death is caused.

**Exception 4.**—Culpable homicide is not murder if it is committed without premeditation, in a sudden fight, in the heat of passion, upon a sudden quarrel, and without the offender having taken undue advantage or acted in a cruel or unusual manner.

**Explanation.**—It is immaterial in such cases which party offers the provocation or commits the first assault.

**Exception 5.**—Culpable homicide is not murder when the person whose death is caused, being above the age of eighteen years, suffers death or takes the risk of death with his own consent.

*Illustration.*

A, by instigation, voluntarily causes Z, a person under eighteen years of age, to commit suicide. Here on account of Z's youth, he was incapable of giving consent to his own death. A has therefore abetted murder.

**301.** If a person, by doing any thing which he intends or knows to be likely to cause death, commits culpable homicide by causing the death of any person whose death he neither intends nor knows himself to be likely to cause, the culpable homicide committed by the offender is of the description of which it would have been if he had caused the death of the person whose death he intended or knew himself to be likely to cause.

**302.** Whoever commits murder shall be punished with death or transportation for life, and shall also be liable to fine.

**303.** Whoever, being under sentence of transportation for life, commits murder, shall be punished with death.

**304.** Whoever commits culpable homicide not amounting to murder shall be punished with transportation for life, or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine, if the act by which the death is caused is done with the intention of causing death, or of causing such bodily injury as is likely to cause death; or with imprisonment of either description for a term which may extend to ten years, or with fine, or with both, if the act is done with the knowledge that it is likely to cause death, but without any intention to cause death or to cause such bodily injury as is likely to cause death.

**305.** If any person under eighteen years of age, any insane person, any delirious person, any idiot, or any person in a state of intoxication, commits suicide, whoever abets the commission of such suicide shall be punished with death or transportation for life, or imprisonment for a term not exceeding ten years, and shall also be liable to fine.

**306.** If any person commits suicide, whoever abets the commission of such suicide shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**307.** Whoever does any act with such intention or knowledge and under such circumstances that if he by that act caused death he would be guilty of murder, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if hurt is caused to any person by such act, the offender shall be liable either to transportation for life, or to such punishment as is herein-before mentioned.

*Illustrations.*

(a) A shoots at Z with intention to kill him, under such circumstances that, if death ensued, A would be guilty of murder. A is liable to punishment under this Section.

(b) A, with the intention of causing the death of a child of tender years, exposes it in a desert place. A has committed the offence defined by this Section, though the death of the child does not ensue.

(c) A, intending to murder Z, buys a gun and loads it. A has not yet committed the offence. A fires the gun at Z. He has committed the offence defined in this Section, and if by such firing he wounds Z, he is liable to the punishment provided by the latter part of this Section.

(d) A, intending to murder Z by poison, purchases poison and mixes the same with food which remains in A's keeping: A has not yet committed the offence defined in this Section. A places the food on Z's table or delivers it to Z's servants to place it on Z's table. A has committed the offence defined in this Section.

**308.** Whoever does any act with such intention or knowledge and under such circumstances that if he by that act caused death he would be guilty of culpable homicide not amounting to murder, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both; and if hurt is caused to any person by such act, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

*Illustration.*

A, on grave and sudden provocation, fires a pistol at Z, under such circumstances that if he thereby caused death he would be guilty of culpable homicide not amounting to murder. A has committed the offence defined in this Section.

**309.** Whoever attempts to commit suicide, and does any act towards the commission of such offence, shall be punished with simple imprisonment for a term which may extend to one year, and shall also be liable to fine.

**310.** Whoever at any time after the passing of this Act shall have been habitually associated with any other or others for the purpose of committing robbery or child-stealing by means of or accompanied with murder, is a Thug.

**311.** Whoever is a Thug shall be punished with transportation for life, and shall also be liable to fine.

OF THE CAUSING OF MISCARRIAGE, OF INJURIES TO  
UNBORN CHILDREN, OF THE EXPOSURE OF  
INFANTS, AND OF THE CONCEALMENT  
OF BIRTHS.

312. Whoever voluntarily causes a woman with child to miscarry shall, if such miscarriage be not caused in good faith for the purpose of saving the life of the woman, be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both; and if the woman be quick with child, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

*Explanation.*—A woman who causes herself to miscarry is within the meaning of this Section.

313. Whoever commits the offence defined in the last preceding Section without the consent of the woman, whether the woman is quick with child or not, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

314. Whoever, with intent to cause the miscarriage of a woman with child, does any act which causes the death of such woman, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if the act is done without the consent of the woman, shall be punished either with transportation for life, or with the punishment abovementioned.

*Explanation.*—It is not essential to this offence that the offender should know that the act is likely to cause death.

315. Whoever before the birth of any child does any act with the intention of thereby preventing that child from being born alive, or causing it to die after its birth, and does by such act prevent that child from being born alive, or causes it to die after its birth, shall, if such act be not caused in good faith for the purpose of saving the life of the mother, be punished with imprisonment of either description for a term which may extend to ten years, or with fine, or with both.

316. Whoever does any act under such circumstances that if he thereby caused death he would be guilty of culpable homicide, and does by such act cause the death of a quick unborn child, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

*Illustration.*

A, knowing that he is likely to cause the death of a pregnant woman, does an act which, if it caused the death of the woman, would amount to culpable homicide. The woman is injured but does not die; but the death of an unborn quick child with which she is pregnant is thereby caused. A is guilty of the offence defined in this Section.

317. Whoever being the father or mother of a child under the age of twelve years, or having the care of such child, shall expose or leave such child in any place with the intention of wholly abandoning such child, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

*Explanation.*—This Section is not intended to prevent the trial of the offender for murder or culpable homicide as the case may be, if the child die in consequence of the exposure.

318. Whoever by secretly burying or otherwise disposing of the dead body of a child, whether such child die before or after or during its birth, intentionally conceals or endeavors to conceal the birth of such child, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

OF HURT.

319. Whoever causes bodily pain, disease, or infirmity to any person is said to cause hurt.

320. The following kinds of hurt only are designated as "grievous":—

- First.*—Emasculation.
- Secondly.*—Permanent privation of the sight of either eye.
- Thirdly.*—Permanent privation of the hearing of either ear.
- Fourthly.*—Privation of any member or joint.
- Fifthly.*—Destruction or permanent unpairing of the powers of any member or joint.
- Sixthly.*—Permanent disfiguration of the head or face.
- Seventhly.*—Fracture or dislocation of a bone or tooth.

*Eighthly.*—Any hurt which endangers life or which causes the sufferer to be, during the space of twenty days, in severe bodily pain, or unable to follow his ordinary pursuits.

321. Whoever does any act with the intention of thereby causing hurt to any person, or with the knowledge that he is likely thereby to cause hurt to any person, and does thereby cause hurt to any person, is said "voluntarily to cause hurt."

322. Whoever voluntarily causes hurt, if the hurt which he intends to cause or knows himself to be likely to cause is grievous hurt, and if the hurt which he causes is grievous hurt, is said "voluntarily to cause grievous hurt."

*Explanation.*—A person is not said voluntarily to cause grievous hurt except when he both causes grievous hurt, and intends or knows himself to be likely to cause grievous hurt. But he is said voluntarily to cause grievous hurt, if intending or knowing himself to be likely to cause grievous hurt of one kind, he actually causes grievous hurt of another kind.

*Illustration.*

A, intending or knowing himself to be likely permanently to disfigure Z's face, gives Z a blow which does not permanently disfigure Z's face, but which causes Z to suffer severe bodily pain for the space of twenty days. A has voluntarily caused grievous hurt.



323. Whoever, except in the case provided for by Section 334, voluntarily causes hurt, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand Rupees, or with both.

324. Whoever, except in the case provided for by Section 334, voluntarily causes hurt by means of any instrument for shooting, stabbing, or cutting, or any instrument, which, used as a weapon of offence, is likely to cause death, or by means of fire or any heated substance, or by means of any poison or any corrosive substance, or by means of any explosive substance, or by means of any substance which it is deleterious to the human body to inhale, to swallow, or to receive into the blood, or by means of any animal, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

325. Whoever, except in the case provided for by Section 335, voluntarily causes grievous hurt, shall be punished with imprisonment of either description for a term which may extend to seven years and shall also be liable to fine.

326. Whoever, except in the case provided for by Section 335, voluntarily causes grievous hurt by means of any instrument for shooting, stabbing, or cutting, or any instrument which, used as a weapon of offence, is likely to cause death, or by means of fire or any heated substance, or by means of any poison or any corrosive substance, or by means of any explosive substance, or by means of any substance which it is deleterious to the human body to inhale, to swallow, or to receive into the blood, or by means of any animal, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

327. Whoever voluntarily causes hurt for the purpose of extorting from the sufferer, or from any person interested in the sufferer, any property or valuable security, or of constraining the sufferer or any person interested in such sufferer to do anything which is illegal or which may facilitate the commission of an offence, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

328. Whoever administers to or causes to be taken by any person any poison or any stupefying, intoxicating, or unwholesome drug, or other thing, with intent to cause hurt to such person, or with intent to commit or to facilitate the commission of an offence, or knowing it to be likely that he will thereby cause hurt, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

329. Whoever voluntarily causes grievous hurt for the purpose of extorting from the sufferer or from any person interested in the sufferer, any property or valuable security, or of constraining

the sufferer or any person interested in such sufferer to do any thing which is illegal or which may facilitate the commission of an offence, shall be punished with transportation for life, or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

330. Whoever voluntarily causes hurt for the purpose of extorting from the sufferer, or from any person interested in the sufferer, any confession or any information which may lead to the detection of an offence or misconduct, or for the purpose of constraining the sufferer, or any person interested in the sufferer, to restore or to cause the restoration of any property or valuable security or to satisfy any claim or demand, or to give information which may lead to the restoration of any property or valuable security, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

#### Illustrations.

(a) A, a police officer, tortures Z in order to induce Z to confess that he committed a crime. A is guilty of an offence under this Section.

(b) A, a police officer, tortures B to induce him to point out where certain stolen property is deposited. A is guilty of an offence under this Section.

(c) A, a revenue officer, tortures Z in order to compel him to pay certain arrears of revenue due from Z. A is guilty of an offence under this Section.

(d) A, a zemindar, tortures a ryot in order to compel him to pay his rent. A is guilty of an offence under this Section.

331. Whoever voluntarily causes grievous hurt for the purpose of extorting from the sufferer, or from any person interested in the sufferer, any confession or any information which may lead to the detection of an offence or misconduct, or for the purpose of constraining the sufferer or any person interested in the sufferer to restore or to cause the restoration of any property or valuable security, or to satisfy any claim or demand or to give information which may lead to the restoration of any property or valuable security, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

332. Whoever voluntarily causes hurt to any person being a public servant in the discharge of his duty as such public servant, or with intent to prevent or deter that person or any other public servant from discharging his duty as such public servant, or in consequence of anything done or attempted to be done by that person in the lawful discharge of his duty as such public servant, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

333. Whoever voluntarily causes grievous hurt to any person being a public servant in the discharge of his duty as such public servant, or with intent to prevent or deter that person or any other public servant from discharging his duty as such public servant, or in consequence of anything done or attempted to be done by that person in the lawful discharge of his duty as such public servant, shall be punished

with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

384. Whoever voluntarily causes hurt on grave and sudden provocation, if he neither intends nor knows himself to be likely to cause hurt to any person other than the person who gave the provocation, shall be punished with imprisonment of either description for a term which may extend to one month, or with fine, which may extend to five hundred Rupees, or with both.

385. Whoever causes grievous hurt on grave and sudden provocation, if he neither intends nor knows himself to be likely to cause grievous hurt to any person other than the person who gave the provocation, shall be punished with imprisonment of either description for a term which may extend to four years, or with fine, which may extend to two thousand Rupees, or with both.

*Explanation.*—The last two Sections are subject to the same provisos as Exception 1 Section 300.

386. Whoever does any act so rashly or negligently as to endanger human life or the personal safety of others, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to two hundred and fifty Rupees, or with both.

387. Whoever causes hurt to any person by doing any act so rashly or negligently as to endanger human life or the personal safety of others, shall be punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred Rupees, or with both.

388. Whoever causes grievous hurt to any person by doing any act so rashly or negligently as to endanger human life or the personal safety of others, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine which may extend to one thousand Rupees, or with both.

#### OF WRONGFUL RESTRAINT AND WRONGFUL CONFINEMENT.

389. Whoever voluntarily obstructs any person so as to prevent that person from proceeding in any direction in which that person has a right to proceed, is said wrongfully to restrain that person.

*Exception.*—The obstruction of a private way over land or water which a person in good faith believes himself to have a lawful right to obstruct, is not an offence within the meaning of this Section.

##### *Illustration.*

A obstructs a path along which Z has a right to pass. A not believing in good faith that he has a right to stop the path. Z is thereby prevented from passing. A wrongfully restrains Z.

390. Whoever wrongfully restrains any person in such a manner as to prevent that person from proceeding beyond certain circumscribing limits, is said "wrongfully to confine" that person.

##### *Illustrations.*

(a) A causes Z to go within a walled space, and locks Z in. Z is thus prevented from proceeding in any direction be-

yond the circumscribing line of wall. A wrongfully confines Z.

(b) A places men with fire-arms at the outlets of a building and tells Z that they will fire at Z if Z attempts to leave the building. A wrongfully confines Z.

391. Whoever wrongfully restrains any person shall be punished with simple imprisonment for a term which may extend to one month, or with fine which may extend to five hundred Rupees, or with both.

392. Whoever wrongfully confines any person shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand Rupees, or with both.

393. Whoever wrongfully confines any person for three days or more, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

394. Whoever wrongfully confines any person for ten days or more, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

395. Whoever keeps any person in wrongful confinement, knowing that a writ for the liberation of that person has been duly issued, shall be punished with imprisonment of either description for a term which may extend to two years in addition to any term of imprisonment to which he may be liable under any other Section of this Code.

396. Whoever wrongfully confines any person in such a manner as to indicate an intention that the confinement of such person may not be known to any person interested in the person so confined, or to any public servant, or that the place of such confinement may not be known to or discovered by any such person or public servant as hereinbefore mentioned, shall be punished with imprisonment of either description for a term which may extend to two years, in addition to any other punishment to which he may be liable for such wrongful confinement.

397. Whoever wrongfully confines any person for the purpose of extorting from the person confined, or from any person interested in the person confined, any property or valuable security, or of constraining the person confined or any person interested in such person to do any thing illegal or to give any information which may facilitate the commission of an offence, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

398. Whoever wrongfully confines any person for the purpose of extorting from the person confined or any person interested in the person confined, any confession or any information which may lead to the detection of an offence or misconduct, or for the purpose of constraining the person confined or any person interested in the person confined to restore or to cause

the restoration of any property or valuable security or to satisfy any claim or demand, or to give information which may lead to the restoration of any property or valuable security shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

#### OF CRIMINAL FORCE AND ASSAULT.

310. A person is said to use force to another if he causes motion, change of motion, or cessation of motion to that other, or if he causes to any substance such motion, or change of motion, or cessation of motion as brings that substance into contact with any part of that other's body, or with anything which that other is wearing or carrying, or with anything so situated that such contact affects that other's sense of feeling: provided that the person causing the motion, or change of motion, or cessation of motion, causes that motion, change of motion, or cessation of motion in one of the three ways hereinafter described.—

*First*.—By his own bodily power.

*Secondly*.—By disposing any substance in such a manner that the motion or change or cessation of motion takes place without any further act on his part or on the part of any other person.

*Thirdly*.—By inducing any animal to move, to change its motion, or to cease to move.

350. Whoever intentionally uses force to any person, without that person's consent, in order to the committing of any offence, or intending by the use of such force to cause, or knowing it to be likely that by the use of such force he will cause injury, fear, or annoyance to the person to whom the force is used, is said to use criminal force to that other.

#### Illustrations

(a) Z is sitting in a motor boat on a river. A nudgens the moorings, and thus intentionally causes the boat to drift down the stream. Here A intentionally causes motion to Z, and he does this by disposing substance in such a manner that the motion is produced without any other act on any person's part. A has therefore intentionally used force to Z, and if he has done so without Z's consent, in order to the committing of any offence, or intending or knowing it to be likely that this use of force will cause injury, fear, or annoyance to Z, A has used criminal force to Z.

(b) Z is riding in a chariot. A lashes Z's horses, and thereby causes them to quicken their pace. Here A has caused change of motion to Z by inducing the animals to change their motion. A has therefore used force to Z; and if A has done this without Z's consent, intending or knowing it to be likely that he may thereby injure, frighten, or annoy Z, A has committed criminal force to Z.

(c) Z is riding in a palanquin. A, intending to rob Z, seizes the pole, and stops the palanquin. Here, A has caused cessation of motion to Z, and he has done this by his own bodily power. A has therefore used force to Z; and as A has acted thus intentionally, without Z's consent, in order to the commission of an offence, A has used criminal force to Z.

(d) A intentionally pushes against Z in the street. Here A has by his own bodily power moved his own person so as to bring it into contact with Z. He has therefore intentionally used force to Z, and if he has done so without Z's consent, intending or knowing it to be likely that he may thereby injure, frighten, or annoy Z, he has used criminal force to Z.

(e) A throws a stone intending or knowing it to be likely that the stone will be thus brought into contact with Z, or with Z's clothes, or with something carried by Z, or that it will strike water, and dash up the water against Z's clothes or something carried by Z. Here, if the throwing of the stone produces the effect of causing any substance to come into contact with Z or Z's clothes, A has used force to Z, and if he did so without Z's consent, intending thereby to injure, frighten, or annoy Z, he has used criminal force to Z.

(f) A intentionally pulls up a woman's veil. Here A intentionally uses force to her; and if he does so without her

consent, intending or knowing it to be likely that he may thereby injure, frighten, or annoy her, he has used criminal force to her.

(g) Z is bathing. A pours into the bath water which he knows to be boiling. Here, A intentionally by his own bodily power causes such motion in the boiling water as brings that water into contact with Z, or with other water so situated that such contact must affect Z's sense of feeling. A has therefore intentionally used force to Z; and if he has done this without Z's consent, intending or knowing it to be likely that he may thereby cause injury, fear, or annoyance to Z, A has used criminal force to Z.

(h) A incites a dog to spring upon Z, without Z's consent. Here, if A intends to cause injury, fear, or annoyance to Z, he uses criminal force to Z.

351. Whoever makes any gesture, or any preparation, intending or knowing it to be likely that such gesture or preparation will cause any person present to apprehend that he who makes that gesture or preparation is about to use criminal force to that person, is said to commit an assault.

*Explanation*.—Mere words do not amount to an assault. But the words which a person uses may give to his gestures or preparation such a meaning as may make those gestures or preparations amount to an assault.

#### Illustrations.

(a) A shakes his fist at Z, intending or knowing it to be likely that he may thereby cause Z to believe that A is about to strike Z. A has committed an assault.

(b) A begins to unlase the muzzle of a ferocious dog, intending, or knowing it to be likely that he may thereby cause Z to believe that he is about to cause the dog to attack Z. A has committed an assault upon Z.

(c) A takes up a stick, saying to Z, "I will give you a beating." Here, though the words used by A could in no case amount to an assault, and though the mere gesture, unaccompanied by any other circumstances, might not amount to an assault, the gesture explained by the words may amount to an assault.

352. Whoever assaults or uses criminal force to any person otherwise than using criminal force on grave and sudden provocation given by that person, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred Rupees, or with both.

*Explanation*.—Grave and sudden provocation will not mitigate the punishment for an offence under this Section, if the provocation is sought or voluntarily provoked by the offender as an excuse for the offence; or—

If the provocation is given by any thing done in obedience to the law or by a public servant in the lawful exercise of the powers of such public servant; or—

If the provocation is given by any thing done in the lawful exercise of the right of private defence.

Whether the provocation was grave and sudden enough to mitigate the offence, is a question of fact.

353. Whoever assaults or uses criminal force to any person being a public servant in the execution of his duty as such public servant, or with intent to prevent or deter that person from discharging his duty as such public servant, or in consequence of any thing done or attempted to be done by such person in the lawful discharge of his duty as such public servant, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.



**354.** Whoever assaults or uses criminal force to any woman, intending to outrage or knowing it to be likely that he will thereby outrage her modesty, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

**355.** Whoever assaults or uses criminal force to any person, intending thereby to dishonor that person otherwise than on grave and sudden provocation given by that person, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

**356.** Whoever assaults or uses criminal force to any person in attempting to commit theft on any property which that person is then wearing or carrying, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

**357.** Whoever assaults or uses criminal force to any person in attempting wrongfully to confine that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand Rupees, or with both.

**358.** Whoever assaults or uses criminal force to any person on grave and sudden provocation given by that person, shall be punished with simple imprisonment for a term which may extend to one month, or with fine which may extend to two hundred Rupees, or with both.

*Explanation*—The last Section is subject to the same explanation as Section 352.

# OF KIDNAPPING, ABDUCTION, SLAVERY, AND FORCED LABOR.

**359.** Kidnapping is of two kinds; kidnapping from British India, and kidnapping from lawful guardianship.

**360.** Whoever conveys any person beyond the limits of British India without the consent of that person or of some person legally authorized to consent on behalf of that person, is said to kidnap that person from British India.

**361.** Whoever takes or entices any minor under fourteen years of age if a male, or under sixteen years of age if a female, or any person of unsound mind, out of the keeping of the lawful guardian of such minor or person of unsound mind, without the consent of such guardian, is said to kidnap such minor or person from lawful guardianship.

*Explanation*—The words "Lawful Guardian" in this Section include any person lawfully entrusted with the care or custody of such minor or other person.

*Exception*—This Section does not extend to the act of any person who in good faith believes himself to be the father of an illegitimate child, or who in good faith believes himself to be entitled to the lawful custody of such child, unless such act is committed for an immoral or unlawful purpose.

**362.** Whoever by force compels, or by any deceitful means induces, any person to go from any place, is said to abduct that person.

**363.** Whoever kidnaps any person from British India or from lawful guardianship, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**364.** Whoever kidnaps or abducts any person in order that such person may be murdered or may be so disposed of as to be put in danger of being murdered, shall be punished with transportation for life, or rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

## Illustrations

(a) A kidnaps Z from British India, intending or knowing it to be likely that Z may be sacrificed to an idol. A has committed the offence defined in this Section.

(b) A forcibly carries an enticed B away from his home in order that B may be murdered. A has committed the offence defined in this Section.

**365.** Whoever kidnaps or abducts any person with intent to cause that person to be secretly and wrongfully confined, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**366.** Whoever kidnaps or abducts any woman with intent that she may be compelled, or knowing it to be likely that she will be compelled to marry any person against her will, or in order that she may be forced or seduced to illicit intercourse or knowing it to be likely that she will be forced or seduced to illicit intercourse, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**367.** Whoever kidnaps or abducts any person in order that such person may be subjected, or may be so disposed of as to be put in danger of being subjected to grievous hurt, slavery, or to the unnatural lust of any person, or knowing it to be likely that such person will be so subjected or disposed of, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**368.** Whoever, knowing that any person has been kidnapped or has been abducted, wrongfully conceals or confines such person, shall be punished in the same manner as if he had kidnapped or abducted such person with the same intention or knowledge or for the same purpose as that with or for which he concealed or detains such person in confinement.

**369.** Whoever kidnaps or abducts any child under the age of ten years with the intention of taking dishonestly any moveable property from the person of such child, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**370.** Whoever imports, exports, removes, buys, sells, or disposes of, any person as a slave, or accepts, receives, or detains against his will any person as a slave, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**371.** Whoever habitually imports, exports, removes, buys, sells, traffics, or deals in slaves, shall be punished with transportation for life, or with imprisonment of either description for a term not exceeding ten years, and shall also be liable to fine.

**372.** Whoever sells, lets to hire, or otherwise disposes of any minor under the age of sixteen years with intent that such minor shall be employed or used for the purpose of prostitution or for any unlawful and immoral purpose, or knowing it to be likely that such minor will be employed or used for any such purpose, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**373.** Whoever buys, hires, or otherwise obtains possession of any minor under the age of sixteen years with intent that such minor shall be employed or used for the purpose of prostitution, or for any unlawful and immoral purpose, or knowing it to be likely that such minor will be employed or used for any such purpose, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**374.** Whoever unlawfully compels any person to labor against the will of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

#### OF RAPE.

**375.** A man is said to commit "rape," who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the five following descriptions:—

*First.*—Against her will.

*Secondly.*—Without her consent.

*Thirdly.*—With her consent, when her consent has been obtained by putting her in fear of death or of hurt.

*Fourthly.*—With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

*Fifthly.*—With or without her consent, when she is under ten years of age.

*Explanation.*—Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

*Exception.*—Sexual intercourse by a man with his own wife, the wife not being under ten years of age, is not rape.

**376.** Whoever commits rape shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

#### OF UNNATURAL OFFENCES.

**377.** Whoever voluntarily has carnal intercourse against the order of nature with any man, woman, or animal, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

*Explanation.*—Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this Section.

#### CHAPTER XVII.

##### OF OFFENCES AGAINST PROPERTY OF THEFT.

**378.** Whoever, intending to take dishonestly any moveable property out of the possession of any person without that person's consent, moves that property in order to such taking, is said to commit theft.

*Explanation 1.*—A thing so long as it is attached to the earth, not being moveable property, is not the subject of theft, but it becomes capable of being the subject of theft as soon as it is severed from the earth.

*Explanation 2.*—A moving, effected by the same act which effects the severance, may be a theft.

*Explanation 3.*—A person is said to cause a thing to move by removing an obstacle which prevented it from moving, or by separating it from any other thing, as well as by actually moving it.

*Explanation 4.* A person, who by any means causes an animal to move, is said to move that animal, and to move every thing which, in consequence of the motion so caused, is moved by that animal.

*Explanation 5.*—The consent mentioned in the definition may be express or implied, and may be given either by the person in possession, or by any person having for that purpose authority either express or implied.

##### Illustrations.

(a) A cuts down a tree on Z's ground, with the intention of dishonestly taking the tree out of Z's possession, without Z's consent. If he does so, he has committed theft, in order to such taking, he has committed theft.

(b) A puts a bait for dogs in his pocket, and thus induces Z's dog to follow it. Here if A's intention is dishonestly to take the dog out of Z's possession without Z's consent, A has committed theft as soon as Z's dog has begun to follow A.

(c) A meets a bullock carrying a box of treasure. He drives the bullock in a certain direction, in order that he may dishonestly take the treasure. As soon as the bullock begins to move, A has committed theft of the treasure.

(d) A, being Z's servant, and intrusted by Z with the care of Z's plate, dishonestly runs away with the plate, without Z's consent. A has committed theft.

(e) Z, going on a journey, entrusts his plate to A, the keeper of a warehouse, till Z shall return. A carries the plate to a goldsmith and sells it. Here the plate was not in Z's possession. It could not therefore be taken out of Z's possession, and A has not committed theft, though he may have committed criminal breach of trust.

(f) A finds a ring belonging to Z on a table in the house which Z occupies. Here the ring is in Z's possession, and if A dishonestly removes it, A commits theft.

(g) A finds a ring lying on the high-road, not in the possession of any person. A by taking it commits no theft, though he may commit criminal misappropriation of property.

(h) A sees a ring belonging to Z lying on a table in Z's house. Not venturing to misappropriate the ring immediately for fear of search and detection, A hides the ring in a place where it is highly improbable that it will ever be found by Z, with the intention of taking the ring from the hiding place and selling it when the loss is forgotten. Here A, at the time of first moving the ring, commits theft.

(c) A delivers his watch to Z, a jeweller, to be regulated. Z carries it to his shop. A, not owing to the jeweller any debt for which the jeweller might lawfully detain the watch as a security, enters the shop openly, takes his watch by force out of Z's hand, and carries it away. Here A, though he may have committed criminal trespass and assault, has not committed theft, inasmuch as what he did was not done dishonestly.

(d) If A owes money to Z for repairing the watch, and if Z retains the watch lawfully as a security for the debt, and A takes the watch out of Z's possession, with the intention of depriving Z of the property as a security for his debt, he commits theft, inasmuch as he takes it dishonestly.

(e) Again if A, having pawned his watch to Z, takes it out of Z's possession without Z's consent, not having paid what he had borrowed on the watch, he commits theft, though the watch is his own property, inasmuch as he takes it dishonestly.

(f) A takes an article belonging to Z out of Z's possession, without Z's consent, with the intention of keeping it until he obtains money from Z as a reward for its restoration. Here A takes dishonestly. A has therefore committed theft.

(g) A, being on friendly terms with Z, goes into Z's library in Z's absence, and takes away a book without Z's express consent, for the purpose merely of reading it, and with the intention of returning it. Here it is probable that A may have conceived that he had Z's implied consent to use Z's book. If this was A's impression, A has not committed theft.

(h) A asks charity from Z's wife. She gives A money, food, and clothes, which A knows to belong to Z her husband. Here, it is probable that A may conceive that Z's wife is authorized to give away alms. If this was A's impression, A has not committed theft.

(i) A is the paramour of Z's wife. She gives A valuable property, which A knows to belong to her husband Z, and to be such property as she has not authority from Z to give. If A takes the property dishonestly, he commits theft.

(j) A in good faith, believing property belonging to Z to be A's own property, takes that property out of Z's possession. Here, as A does not take dishonestly, he does not commit theft.

**379.** Whoever commits theft shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

**380.** Whoever commits theft in any building, tent, or vessel, which building, tent, or vessel is used as a human dwelling, or for the custody of property, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**381.** Whoever being a clerk or servant, or being employed in the capacity of a clerk or servant, commits theft in respect of any property in the possession of his master or employer, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**382.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

**383.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

**384.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

**385.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

**386.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

**387.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

**388.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

**389.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

**390.** Whoever commits theft, having made preparation for causing death or hurt or restraint, or fear of death or of hurt or of restraint, to any person, in order to the committing of such theft, or in order to the effecting of his escape after the committing of such theft, or in order to the retaining of property taken by such theft, shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

ing Z in case Z should resist. A has committed the offence defined in this Section.

(b) A picks Z's pocket, having posted several of his companions near him, in order that they may restrain Z, if Z should perceive what is passing and should resist, or should attempt to apprehend A. A has committed the offence defined in this Section.

#### OF EXTORTION.

**383.** Whoever intentionally puts any person in fear of any injury to that person or to any other, and thereby dishonestly induces the person so put in fear to deliver to any person any property or valuable security or any thing signed or sealed which may be converted into a valuable security, commits "extortion."

#### Illustrations.

(a) A threatens to publish a defamatory libel concerning Z, unless Z gives him money. He thus induces Z to give him money. A has committed extortion.

(b) A threatens Z that he will keep Z's child in wrongful confinement, unless Z will sign and deliver to A a promissory note, binding Z to pay certain money to A. Z signs and delivers the note. A has committed extortion.

(c) A threatens to send club-men to plough up Z's field, unless Z will sign and deliver to B a bond binding Z under a penalty to deliver certain produce to B, and thereby induces Z to sign and deliver the bond. A has committed extortion.

(d) A, by putting Z in fear of grievous hurt, dishonestly induces Z to sign or affix his seal to a blank paper, and deliver it to A. Z signs and delivers the paper to A. Here, as the paper so signed may be converted into a valuable security, A has committed extortion.

**384.** Whoever commits extortion shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

**385.** Whoever, in order to the committing of extortion, puts any person in fear, or attempts to put any person in fear of any injury, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

**386.** Whoever commits extortion by putting any person in fear of death or of grievous hurt to that person or to any other, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**387.** Whoever, in order to the committing of extortion, puts or attempts to put any person in fear of death or of grievous hurt to that person or to any other, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**388.** Whoever commits extortion by putting any person in fear of an accusation against that person or any other, of having committed, or attempted to commit, any offence punishable with death, or with imprisonment for life, or with transportation for life, or of having attempted to induce any other person to commit such offence, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if the offence be one punishable under Section 377, may be punished with transportation for life.



399. Whoever, in order to the committing of extortion, puts or attempts to put any person in fear of an accusation, against that person or any other, of having committed or attempted to commit an offence punishable with death or with transportation for life, or with imprisonment for a term which may extend to ten years, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and if the offence be punishable under Section 377, may be punished with transportation for life.

#### OF ROBBERY AND DACOITY.

300. In all robbery there is either theft or extortion.  
Theft is "robbery," if, in order to the committing of the theft, or in committing the theft, or in carrying away or attempting to carry away property obtained by the theft, the offender, for that end, voluntarily causes or attempts to cause to any person death or hurt or wrongful restraint, or fear of instant death or of instant hurt or of instant wrongful restraint.

Extortion is "robbery," if the offender, at the time of committing the extortion, is in the presence of the person put in fear, and commits the extortion by putting that person in fear of instant death, of instant hurt, or of instant wrongful restraint to that person or to some other person, and, by so putting in fear, induces the person so put in fear then and there to deliver up the thing extorted.

*Explanation.*—The offender is said to be present if he is sufficiently near to put the other person in fear of instant death, of instant hurt, or of instant wrongful restraint.

#### Illustrations.

(a) A holds Z down, and fraudulently takes Z's money and jewels from Z's clothes, without Z's consent. Here A has committed theft, and, in order to the committing of that theft, has voluntarily caused wrongful restraint to Z. A has therefore committed robbery.

(b) A meets Z on the high road, shows a pistol, and demands Z's purse. Z, in consequence, surrenders his purse. Here A has extorted the purse from Z by putting him in fear of instant hurt, being at the time of committing the extortion in his presence. A has therefore committed robbery.

(c) A meets Z and Z's child on the high road. A takes the child, and threatens to fling it down a precipice, unless Z delivers his purse. Z, in consequence, delivers his purse. Here A has extorted the purse from Z, by causing Z to be in fear of instant hurt to the child who is then present. A has therefore committed robbery on Z.

(d) A obtains property from Z by saying—"Your child is in the hands of my gang, and will be put to death unless you send us ten thousand Rupees." This is extortion, and punishable as such; but it is not robbery, unless Z is put in fear of the instant death of his child.

391. When five or more persons conjointly commit or attempt to commit a robbery, or where the whole number of persons conjointly committing or attempting to commit a robbery, and persons present and aiding such commission or attempt, amount to five or more, every person so committing, attempting, or aiding, is said to commit "dacoity."

392. Whoever commits robbery shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine; and if the robbery be committed on

the highway between sunset and sunrise, the imprisonment may be extended to fourteen years.

393. Whoever attempts to commit robbery shall be punished with rigorous imprisonment for a term which may extend to seven years, and shall also be liable to fine.

394. If any person, in committing or in attempting to commit robbery, voluntarily causes hurt, such person, and any other person jointly concerned in committing or attempting to commit such robbery, shall be punished with transportation for life, or with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

395. Whoever commits dacoity shall be punished with transportation for life, or with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

396. If any one of five or more persons, who are conjointly committing dacoity, commits murder in so committing dacoity, every one of those persons shall be punished with death, or transportation for life, or rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

397. If, at the time of committing robbery or dacoity, the offender uses any deadly weapon, or causes grievous hurt to any person, or attempts to cause death or grievous hurt to any person, the imprisonment with which such offender shall be punished shall not be less than seven years.

398. If, at the time of attempting to commit robbery or dacoity, the offender is armed with any deadly weapon, the imprisonment with which such offender shall be punished shall not be less than seven years.

399. Whoever makes any preparation for committing dacoity shall be punished with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

400. Whoever, at any time after the passing of this Act, shall belong to a gang of persons associated for the purpose of habitually committing dacoity, shall be punished with transportation for life, or with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

401. Whoever, at any time after the passing of this Act, shall belong to any wandering or other gang of persons associated for the purpose of habitually committing theft or robbery, and not being a gang of thugs or dacoits, shall be punished with rigorous imprisonment for a term which may extend to seven years, and shall also be liable to fine.

402. Whoever, at any time after the passing of this Act, shall be one of five or more persons assembled for the purpose of committing dacoity, shall be punished with rigorous imprisonment for a term which may extend to seven years, and shall also be liable to fine.

# OF CRIMINAL MISAPPROPRIATION OF PROPERTY.

408. Whoever dishonestly misappropriates or converts to his own use any moveable property, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

Dishonest misappropriation of property.

## Illustrations.

(a) A takes property belonging to Z out of Z's possession, in good faith believing, at the time when he takes it, that the property belongs to himself. A is not guilty of theft; but if A, after discovering his mistake, dishonestly appropriates the property to his own use, he is guilty of an offence under this Section.

(b) A, being on friendly terms with Z, goes into Z's library in Z's absence, and takes away a book without Z's express consent. Here, if A was under the impression that he had Z's implied consent to take the book for the purpose of reading it, A has not committed theft. But if A afterwards sells the book for his own benefit, he is guilty of an offence under this Section.

(c) A and B being joint owners of a horse, A takes the horse out of B's possession, intending to use it. Here, as A has a right to use the horse, he does not dishonestly misappropriate it. But if A sells the horse and appropriates the whole proceeds to his own use, he is guilty of an offence under this Section.

*Explanation 1.*—A dishonest misappropriation for a time only is a misappropriation within the meaning of this Section.

## Illustration.

A finds a Government promissory note belonging to Z, bearing a blank endorsement. A, knowing that the note belongs to Z, pledges it with a banker as a security for a loan, intending at a future time to restore it to Z. A has committed an offence under this Section.

*Explanation 2.*—A person who finds property not in the possession of any other person, and takes such property for the purpose of protecting it for, or of restoring it to, the owner, does not take or misappropriate it dishonestly, and is not guilty of an offence; but he is guilty of the offence above defined, if he appropriates it to his own use, when he knows or has the means of discovering the owner, or before he has used reasonable means to discover and give notice to the owner, and has kept the property a reasonable time to enable the owner to claim it.

What are reasonable means, or what is a reasonable time in such a case, is a question of fact.

It is not necessary that the finder should know who is the owner of the property, or that any particular person is the owner of it: it is sufficient if, at the time of appropriating it, he does not believe it to be his own property, or in good faith believe that the real owner cannot be found.

## Illustrations.

(a) A finds a Rupee on the high road, not knowing to whom the Rupee belongs. A picks up the Rupee. Here A has not committed the offence defined in this Section.

(b) A finds a letter on the high road, containing a bank note. From the direction and contents of the letter he learns to whom the note belongs. He appropriates the note. He is guilty of an offence under this Section.

(c) A finds a cheque payable to bearer. He can form no conjecture as to the person who has lost the cheque. But the name of the person who has drawn the cheque, appears. A knows that this person can direct him to the person in whose favor the cheque was drawn. A appropriates the cheque without attempting to discover the owner. He is guilty of an offence under this Section.

(d) A sees Z drop his purse with money in it. A picks up the purse with the intention of restoring it to Z, but afterwards appropriates it to his own use. A has committed an offence under this Section.

(e) A finds a purse with money, not knowing to whom it belongs; he afterwards discovers that it belongs to Z, and appropriates it to his own use. A is guilty of an offence under this Section.

(f) A finds a valuable ring, not knowing to whom it belongs. A sells it immediately without attempting to discover the owner. A is guilty of an offence under this Section.

404. Whoever dishonestly misappropriates or converts to his own use property, knowing that such property was in the possession of a deceased person at the time of his death, and has not since been in the possession of any person legally entitled to such possession, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine, and if the offender at the time of such person's decease was employed by him as a clerk or servant, the imprisonment may extend to seven years.

## Illustration.

Z dies in possession of furniture and money. His servant A, before the money comes into the possession of any person entitled to such possession, dishonestly misappropriates it. A has committed the offence defined in this Section.

# OF CRIMINAL BREACH OF TRUST.

105. Whoever, being in any manner entrusted with property, or with any dominion over property, dishonestly misappropriates or converts to his own use that property, or dishonestly uses or disposes of that property in violation of any direction of law prescribing the mode in which such trust is to be discharged, or of any legal contract, express or implied, which he has made touching the discharge of such trust, or willfully suffers any other person so to do, commits "criminal breach of trust."

## Illustrations.

(a) A, being executor to the will of a deceased person, dishonestly disobeys the law which directs him to divide the effects according to the will, and appropriates them to his own use. A has committed criminal breach of trust.

(b) A is a warehouse-keeper. Z, going on a journey, entrusts his furniture to A, under a contract that it shall be returned on payment of a stipulated sum for warehouse room. A dishonestly sells the goods. A has committed criminal breach of trust.

(c) A, residing in Calcutta, is agent for Z, residing at Delhi. There is an express or implied contract between A and Z that all sums remitted by Z to A shall be invested by A according to Z's direction. Z remits a lac of Rupees to A, with directions to A to invest the same in Company's paper. A dishonestly disobeys the directions, and employs the money in his own business. A has committed criminal breach of trust.

(d) But if A, in the last illustration, not dishonestly but in good faith, believing that it will be more for Z's advantage to hold shares in the Bank of Bengal, disobeys Z's directions, and buys shares in the Bank of Bengal for Z, instead of buying Company's paper, here, though Z should suffer loss, and should be entitled to bring a civil action against A on account of that loss, yet A, not having acted dishonestly, has not committed criminal breach of trust.

(e) A, a revenue officer, is entrusted with public money, and is either directed by law, or bound by a contract, express or implied, with the Government, to pay into a certain treasury all the public money which he holds. A dishonestly appropriates the money. A has committed criminal breach of trust.

(f) A, a carrier, is entrusted by Z with property to be carried by land or by water. A dishonestly misappropriates the property. A has committed criminal breach of trust.

406. Whoever commits criminal breach of trust shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

Punishment for criminal breach of trust.

407. Whoever, being entrusted with property as a carrier, wharfinger, or warehouse-keeper, commits criminal breach of trust in respect of such property, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

408. Whoever, being a clerk or servant, or employed as a clerk or servant, and being in any manner entrusted in such capacity with property or with any dominion over property, commits criminal breach of trust in respect of that property, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

409. Whoever, being in any manner entrusted with property, or with any dominion over property, in his capacity of a public servant or in the way of his business as a banker, merchant, factor, broker, attorney, or agent, commits criminal breach of trust in respect of that property, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

#### OF THE RECEIVING OF STOLEN PROPERTY.

410. Property the possession whereof has been transferred by theft, or by extortion, or by robbery, and property which has been criminally misappropriated, or in respect of which the offence of criminal breach of trust has been committed, is designated as "stolen property." But if such property subsequently comes into the possession of a person legally entitled to the possession thereof, it then ceases to be stolen property.

411. Whoever dishonestly receives or retains any stolen property knowing or having reason to believe the same to be stolen property, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

412. Whoever dishonestly receives or retains any stolen property, the possession whereof he knows or has reason to believe to have been transferred by the commission of dacoity, or dishonestly receives from a person, whom he knows or has reason to believe to belong or to have belonged to a gang of dacoits, property which he knows or has reason to believe to have been stolen, shall be punished with transportation for life, or with rigorous imprisonment for a term which may extend to ten years, and shall also be liable to fine.

413. Whoever habitually receives or deals in property which he knows or has reason to believe to be stolen property, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

414. Whoever voluntarily assists in concealing or disposing of or making away with property which he knows or has reason to believe to be stolen property, shall be pun-

ished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

#### OF CHEATING.

415. Whoever, by deceiving any person, fraudulently or dishonestly induces the person so deceived to deliver any property to any person, or to consent that any person shall retain any property, or intentionally induces the person so deceived to do or omit to do anything which he would not do or omit if he were not so deceived, and which act or omission causes or is likely to cause damage or harm to that person in body, mind, reputation, or property, is said to "cheat."

*Explanation.*—A dishonest concealment of facts is a deception within the meaning of this Section.

#### Illustrations.

(a) A, by falsely pretending to be in the Civil Service intentionally deceives Z, and thus dishonestly induces Z to let him have on credit goods for which he does not mean to pay. A cheats.

(b) A, by putting a counterfeit mark on an article, intentionally deceives Z into a belief that this article was made by a certain celebrated manufacturer, and thus dishonestly induces Z to buy and pay for the article. A cheats.

(c) A, by exhibiting to Z a false sample of an article, intentionally deceives Z into believing that the article corresponds with the sample, and thereby dishonestly induces Z to buy and pay for the article. A cheats.

(d) A, by tendering in payment for an article a bill on a house with which A keeps no money, and by which A expects that the bill will be dishonored, intentionally deceives Z, and thereby dishonestly induces Z to deliver the article, intending not to pay for it. A cheats.

(e) A, by pledging as diamonds articles which he knows are not diamonds, intentionally deceives Z, and thereby dishonestly induces Z to lend money. A cheats.

(f) A intentionally deceives Z into a belief that A means to repay any money that Z may lend to him, and thereby dishonestly induces Z to lend him money, A not intending to repay it. A cheats.

(g) A intentionally deceives Z into a belief that A means to deliver to Z a certain quantity of indigo plant which he does not intend to deliver, and thereby dishonestly induces Z to advance money upon the faith of such delivery. A cheats; but if A, at the time of obtaining the money, intends to deliver the indigo plant, and afterwards breaks his contract and does not deliver it, he does not cheat, but is liable only to a civil action for breach of contract.

(h) A intentionally deceives Z into a belief that A has performed A's part of a contract made with Z, which he has not performed, and thereby dishonestly induces Z to pay money. A cheats.

(i) A sells and conveys an estate to B. A knowing that in consequence of such sale he has no right to the property, sells or mortgages the same to Z without disclosing the fact of the previous sale and conveyance to B, and receives the purchase or mortgage money from Z. A cheats.

416. A person is said to "cheat by personation," if he cheats by pretending to be some other person, or by knowingly substituting one person for another, or representing that he or any other person is a person other than he or such other person really is.

*Explanation.*—The offence is committed whether the individual personated is a real or imaginary person.

#### Illustrations.

(a) A cheats by pretending to be a certain rich banker of the same name. A cheats by personation.

(b) A cheats by pretending to be B, a person who is deceased. A cheats by personation.

417. Whoever cheats shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.



418. Whoever cheats with the knowledge that he is likely thereby to cause wrongful loss to a person whose interest in the transaction to which the cheating relates, he was bound, either by law, or by a legal contract, to protect, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

Cheating with knowledge that wrongful loss may be thereby caused to a person whose interest the offender is bound to protect.

419. Whoever cheats by personation shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

Punishment for cheating by personation.

420. Whoever cheats and thereby dishonestly induces the person deceived to deliver any property to any person, or to make, alter, or destroy the whole or any part of a valuable security, or any thing which is signed or sealed, and which is capable of being converted into a valuable security, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

Cheating and dishonestly inducing a delivery of property.

#### OF FRAUDULENT DEEDS AND DISPOSITIONS OF PROPERTY.

421. Whoever dishonestly or fraudulently removes, conceals, or delivers to any person, or transfers or causes to be transferred to any person, without adequate consideration, any property, intending thereby to prevent, or knowing it to be likely that he will thereby prevent, the distribution of that property, according to law, among his creditors or the creditors of any other person, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

422. Whoever dishonestly or fraudulently prevents any debt or demand due to himself or to any other person from being made available according to law for payment of his debts or the debts of such other person, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

423. Whoever dishonestly or fraudulently signs, executes, or becomes a party to any deed or instrument which purports to transfer or subject to any charge any property, or any interest therein, and which contains any false statement relating to the consideration for such transfer or charge, or relating to the person or persons for whose use or benefit it is really intended to operate, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

424. Whoever dishonestly or fraudulently conceals or removes any property of himself or any other person, or dishonestly or fraudulently assists in the concealment or removal thereof, or dishonestly releases any demand

or claim to which he is entitled, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

#### OF MISCHIEF.

425. Whoever, with intent to cause, or knowing that he is likely to cause, wrongful loss or damage to the public or to any person, causes the destruction of any property or any such change in any property or in the situation thereof as destroys or diminishes its value or utility or affects it injuriously, commits "mischief."

*Explanation 1.*—It is not essential to the offence of mischief that the offender should intend to cause loss or damage to the owner of the property injured or destroyed. It is sufficient if he intends to cause, or knows that he is likely to cause, wrongful loss or damage to any person by injuring any property, whether it belongs to that person or not.

*Explanation 2.*—Mischief may be committed by an act affecting property belonging to the person who commits the act, or to that person and others jointly.

#### Illustrations.

- (a) A voluntarily burns a valuable security belonging to Z, intending to cause wrongful loss to Z. A has committed mischief.
- (b) A introduces water into an ice house belonging to Z, and thus causes the ice to melt, intending wrongful loss to Z. A has committed mischief.
- (c) A voluntarily throws into a river a ring belonging to Z, with the intention of thereby causing wrongful loss to Z. A has committed mischief.
- (d) A, knowing that his effects are about to be taken in execution in order to satisfy a debt due from him to Z, destroys those effects, with the intention of thereby preventing Z from obtaining satisfaction of the debt, and of thus causing damage to Z. A has committed mischief.
- (e) A, having insured a ship, voluntarily causes the same to be set on fire, with the intention of causing damage to the underwriters. A has committed mischief.
- (f) A causes a ship to be set on fire, intending thereby to cause damage to Z, who has lent money on bottomry on the ship. A has committed mischief.
- (g) A, having joint property with Z in a horse, shoots the horse, intending thereby to cause wrongful loss to Z. A has committed mischief.
- (h) A causes cattle to enter upon a field belonging to Z, intending to cause, and knowing that he is likely to cause damage to Z's crop. A has committed mischief.

426. Whoever commits mischief shall be punished with imprisonment of either description for a term which may extend to three months, or with fine, or with both.

427. Whoever commits mischief and thereby causes loss or damage to the amount of fifty Rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

428. Whoever commits mischief by killing, poisoning, maiming, or rendering useless, any animal or animals of the value of ten Rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

429. Whoever commits mischief by killing, poisoning, maiming, or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow, or ox, whatever may be the value thereof, or any other

Committing mischief and thereby causing damage to the amount of 60 Rupees.

Mischief by killing or maiming any animal of the value of 10 Rupees.

Mischief by killing or maiming cattle, &c., or any animal of the value of 60 Rupees.

animal of the value of fifty Rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.

430. Whoever commits mischief by doing any act which causes or which he knows to be likely to cause a diminution of the supply of water for agricultural purposes, or for food or drink for human beings or for animals which are property, or for cleanliness or for carrying on any manufacture, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.

431. Whoever commits mischief by doing any act which renders or which he knows to be likely to render any public road, bridge, navigable river, or navigable channel, natural or artificial, impassable or less safe for travelling or conveying property, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.

432. Whoever commits mischief by doing any act which causes or which he knows to be likely to cause an inundation or an obstruction to any public drainage attended with injury or damage, shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both.

433. Whoever commits mischief by destroying or moving any light-house or other light used as a sea-mark, or any sea-mark or buoy or other thing placed as a guide for navigators, or by any act which renders any such light-house, sea-mark, buoy, or other such thing as aforesaid less useful as a guide for navigators, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

434. Whoever commits mischief by destroying or moving any land-mark fixed by the authority of a public servant, or by any act which renders such land-mark less useful as such, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

435. Whoever commits mischief by fire or any explosive substance, intending to cause or knowing it to be likely that he will thereby cause damage to any property to the amount of one hundred Rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

436. Whoever commits mischief by fire or any explosive substance, intending to cause, or knowing it to be likely that he will thereby cause, the destruction of any building which is ordinarily used as a place of worship or as a human dwelling or as a place for the custody of property, shall be punished with transportation for life, or with imprisonment of

either description for a term which may extend to ten years, and shall also be liable to fine.

437. Whoever commits mischief to any decked vessel or any vessel of a burden of twenty tons or upwards, intending to destroy or render unsafe, or knowing it to be likely that he will thereby destroy or render unsafe that vessel, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

438. Whoever commits or attempts to commit by fire or any explosive substance such mischief as is described in the last preceding Section, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

439. Whoever intentionally runs any vessel aground or ashore, intending to commit theft of any property contained therein or to dishonestly misappropriate any such property, or with intent that such theft or misappropriation of property may be committed, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

440. Whoever commits mischief, having made preparation for causing to any person death, or hurt, or wrongful restraint, or fear of death, or of hurt, or of wrongful restraint, shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine.

#### OF CRIMINAL TRESPASS.

441. Whoever enters into or upon property in the possession of another with intent to commit an offence or to intimidate, insult, or annoy any person in possession of such property; or having lawfully entered into or upon such property, unlawfully remains there with intent thereby to intimidate, insult, or annoy any such person, or with intent to commit an offence, is said to commit criminal trespass.

442. Whoever commits criminal trespass by entering into or remaining in any building, tent, or vessel, used as a human dwelling, or any building used as a place for worship, or as a place for the custody of property, is said to commit "house-trespass."

*Definition.*—The introduction of any part of the criminal trespasser's body is entering sufficient to constitute house-trespass.

443. Whoever commits house-trespass, having taken precautions to conceal such house-trespass from some person who has a right to exclude or eject the trespasser from the building, tent, or vessel which is the subject of the trespass, is said to commit "lurking house-trespass."

444. Whoever commits lurking house-trespass after sunset and before sunrise, is said to commit "lurking house-trespass by night."

445. A person is said to commit "house-breaking," who commits house-trespass if he effects his entrance into the house or any part of it in any of the six ways hereinafter described; or if, being in the house or any part of it for the purpose of committing an offence, or having committed an offence therein, he quits the house or any part of it in any of such six ways, that is to say:—

*First.*—If he enters or quits through a passage made by himself, or by any abettor of the house-trespass, in order to the committing of the house-trespass.

*Secondly.*—If he enters or quits through any passage not intended by any person, other than himself or an abettor of the offence, for human entrance; or through any passage to which he has obtained access by scaling or climbing over any wall or building.

*Thirdly.*—If he enters or quits through any passage which he or any abettor of the house-trespass has opened, in order to the committing of the house-trespass, by any means by which that passage was not intended by the occupier of the house to be opened.

*Fourthly.*—If he enters or quits by opening any lock in order to the committing of the house-trespass, or in order to the quitting of the house after a house-trespass.

*Fifthly.*—If he effects his entrance or departure by using criminal force or committing an assault, or by threatening any person with assault.

*Sixthly.*—If he enters or quits by any passage which he knows to have been fastened against such entrance or departure, and to have been unfastened by himself or by an abettor of the house-trespass.

*Explanation.*—Any out-house or building occupied with a house and between which and such house there is an immediate internal communication, is part of the house within the meaning of this Section.

#### Illustrations.

(a) A commits house-trespass by making a hole through the wall of Z's house, and putting his hand through the aperture. This is house-breaking.

(b) A commits house-trespass by creeping into a ship at a port hole between decks. This is house-breaking.

(c) A commits house-trespass by entering Z's house through a window. This is house-breaking.

(d) A commits house-trespass by entering Z's house through the door, having opened a door which was fastened. This is house-breaking.

(e) A commits house-trespass by entering Z's house through the door, having lifted a latch by putting a wire through a hole in the door. This is house-breaking.

(f) A finds the key of Z's house door, which Z had lost, and commits house-trespass by entering Z's house, having opened the door with that key. This is house-breaking.

(g) Z is standing in his door-way. A forces a passage by knocking Z down, and commits house-trespass by entering the house. This is house-breaking.

(h) Z, the door-keeper of Y, is standing in Y's door-way. A commits house-trespass by entering the house, having deterred Z from opposing him by threatening to beat him. This is house-breaking.

446. Whoever commits house-breaking after sunset and before sunrise, is said to commit "house-breaking by night."

447. Whoever commits criminal trespass shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to five hundred Rupees, or with both.

Punishment for criminal trespass.

448. Whoever commits house-trespass shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand Rupees, or with both.

449. Whoever commits house-trespass in order to the committing of any offence punishable with death, shall be punished with transportation for life, or with rigorous imprisonment for a term not exceeding ten years, and shall also be liable to fine.

450. Whoever commits house-trespass in order to the committing of any offence punishable with transportation for life, shall be punished with imprisonment of either description for a term not exceeding ten years, and shall also be liable to fine.

451. Whoever commits house-trespass in order to the committing of any offence punishable with imprisonment, shall be punished with imprisonment of either description for a term which may extend to two years, and shall also be liable to fine; and if the offence intended to be committed is theft, the term of the imprisonment may be extended to seven years.

452. Whoever commits house-trespass, having made preparation for causing hurt to any person, or for assaulting any person, or for wrongfully restraining any person, or for putting any person in fear of hurt, or of assault, or of wrongful restraint, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

453. Whoever commits lurking house-trespass or house-breaking shall be punished with imprisonment of either description for a term which may extend to two years, and shall also be liable to fine.

454. Whoever commits lurking house-trespass or house-breaking in order to the committing of any offence punishable with imprisonment, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine; and if the offence intended to be committed is theft, the term of the imprisonment may be extended to ten years.

455. Whoever commits lurking house-trespass or house-breaking having made preparation for causing hurt to any person, or for assaulting any person, or for wrongfully restraining any person, or for putting any person in fear of hurt or of assault or of wrongful restraint, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

Punishment for lurking house-trespass or house-breaking after preparation made for causing hurt to any person.

456. Whoever commits lurking house-trespass by night, or house-breaking by night, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

457. Whoever commits lurking house-trespass by night or house-breaking by night, in order to the committing of any offence punishable with imprisonment, shall be punished with imprisonment of either description for a term which may extend to five years, and shall also be liable to fine; and if the offence intended to be committed is theft, the term of the imprisonment may be extended to fourteen years.

458. Whoever commits lurking house-trespass by night, or house-breaking by night, after preparation made for causing hurt to any person, or for assaulting any person, or for wrongfully restraining any person, or for putting any person in fear of hurt or of assault or of wrongful restraint, shall be punished with imprisonment of either description for a term which may extend to fourteen years, and shall also be liable to fine.

459. Whoever, whilst committing lurking house-trespass or house-breaking, causes grievous hurt to any person or attempts to cause death or grievous hurt to any person, shall be punished with transportation for life or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

460. If at the time of the committing of lurking house-trespass by night or house-breaking by night, any person guilty of such offence shall voluntarily cause or attempt to cause death or grievous hurt to any person, every person jointly concerned in committing such lurking house-trespass by night or house-breaking by night, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

461. Whoever dishonestly or with intent to commit mischief, breaks open or unfastens any closed receptacle which contains or which he believes to contain property, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

462. Whoever, being entrusted with any closed receptacle which contains or which he believes to contain property, without having authority to open the same, dishonestly, or with intent to commit mischief, breaks open or unfastens that receptacle, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

## CHAPTER XVIII.

### OF OFFENCES RELATING TO DOCUMENTS AND TO TRADE OR PROPERTY-MARKS.

463. Whoever makes any false document or part of a document with intent to cause damage or injury to the public or to any person, or to support any claim or title, or to cause any person to part with property or to enter into any express or implied contract, or with intent to commit fraud or that fraud may be committed, commits forgery.

464. A person is said to make a false document—

*First*.—Who dishonestly or fraudulently makes, signs, seals, or executes a document or part of a document, or makes any mark denoting the execution of a document, with the intention of causing it to be believed that such document or part of a document was made, signed, sealed, or executed by or by the authority of a person by whom or by whose authority he knows that it was not made, signed, sealed, or executed or at a time at which he knows that it was not made, signed, sealed, or executed, or

*Secondly*.—Who, without lawful authority, dishonestly or fraudulently, by cancellation or otherwise, alters a document in any material part thereof, after it has been made or executed either by himself or by any other person, whether such person be living or dead at the time of such alteration; or

*Thirdly*.—Who dishonestly or fraudulently causes any person to sign, seal, execute, or alter a document, knowing that such person by reason of unsoundness of mind or intoxication cannot, or that by reason of deception practised upon him he does not know the contents of the document or the nature of the alteration.

#### Illustrations.

(a) A has a letter of credit upon B for Rupees 10,000, written by Z. A, in order to defraud B, adds a cipher to the 10,000 and makes the sum 1,00,000, intending that it may be believed by B that Z so wrote the letter. A has committed forgery.

(b) A, without Z's authority, affixes Z's seal to a document purporting to be a conveyance of an estate from Z to A, with the intention of selling the estate to B, and thereby of obtaining from B the purchase money. A has committed forgery.

(c) A picks up a cheque on a Banker signed by B, payable to bearer, but without any sum having been inserted in the cheque. A fraudulently fills up the cheque by inserting the sum of ten thousand Rupees. A commits forgery.

(d) A leaves with B, his agent, a cheque on a Banker, signed by A, without inserting the sum payable, and authorizes B to fill up the cheque by inserting a sum not exceeding ten thousand Rupees for the purpose of making certain payments. B fraudulently fills up the cheque by inserting the sum of twenty thousand Rupees. B commits forgery.

(e) A draws a Bill of Exchange on himself in the name of B without B's authority, intending to discount it as a genuine Bill with a Banker intending to take up the Bill on its maturity. Here, as A draws the Bill with intent to deceive the Banker by leading him to suppose that he had the security of B, and thereby to discount the Bill, A is guilty of forgery.

(f) Z's will contains these words—"I direct that all my remaining property be equally divided between A, B, and C." A dishonestly scratches out B's name, intending that it may be believed that the whole was left to himself and C. A has committed forgery.

(g) A endorses a Government Promissory Note and makes it payable to Z or his order by writing on the Bill the words "Pay to Z or his order" and signing the endorsement. B dishonestly erases the words "pay to Z or his order" and thereby converts the special endorsement into a blank endorsement. B commits forgery.

(h) A sells and conveys an estate to Z. A afterwards, in order to defraud Z of his estate, executes a conveyance of



the same estate to B, dated six months earlier than the date of the conveyance to Z, intending it to be believed that he had conveyed the estate to B before he conveyed it to Z. A has committed forgery.

(f) Z dictates his will to A. A intentionally writes down a different legatee from the legatee named by Z, and by representing to Z that he has prepared the will according to his instructions, induces Z to sign the will. A has committed forgery.

(g) A writes a letter and signs it with B's name without B's authority, certifying that A is a man of good character and in distressed circumstances from unforeseen misfortune, intending by means of such letter to obtain sums from Z and other persons. Here, as A made a false document in order to induce Z to part with property, A has committed forgery.

(h) A without B's authority writes a letter and signs it in B's name, certifying to A's character, intending thereby to obtain employment under Z. A has committed forgery, inasmuch as he intended to deceive Z by the forged certificate, and thereby to induce Z to enter into an express or implied contract for service.

*Explanation 1.*—A man's signature of his own name may amount to forgery.

#### *Illustrations.*

(a) A signs his own name to a Bill of Exchange, intending that it may be believed that the Bill was drawn by another person of the same name. A has committed forgery.

(b) A writes the word "accepted" on a piece of paper and signs with Z's name, in order that B may afterwards write on the paper a Bill of Exchange drawn by B upon Z and negotiate the Bill as though it had been accepted by Z. A is guilty of forgery; and if B knowing the fact draws the Bill upon the paper pursuant to A's intention, B is also guilty of forgery.

(c) A picks up a Bill of Exchange payable to the order of a different person of the same name. A endorses the Bill in his own name, intending to cause it to be believed that it was endorsed by the person to whose order it was payable; here A has committed forgery.

(d) A purchases an estate sold under execution of a decree against B. B, after the seizure of the estate, in collusion with Z, executes a lease of the estate to Z at a nominal rent and for a long period, and dates the lease six months prior to the seizure with intent to defraud A and to cause it to be believed that the lease was granted before the seizure. B, though he executes the lease in his own name, commits forgery by antedating it.

(e) A, a trader, in anticipation of insolvency, lodges effects with B for A's benefit and with intent to defraud his creditors, and in order to give a color to the transaction, writes a Promissory Note binding himself to pay to B a sum for value received, and antedates the note, intending that it may be believed to have been made before A was on the point of insolvency. A has committed forgery under the first head of the definition.

*Explanation 2.*—The making of a false document in the name of a fictitious person, intending it to be believed that the document was made by a real person, or in the name of a deceased person intending it to be believed that the document was made by the person in his lifetime, may amount to forgery.

#### *Illustration.*

A draws a Bill of Exchange upon a fictitious person, and fraudulently accepts the Bill in the name of such fictitious person with intent to negotiate it. A commits forgery.

465. Whoever commits forgery shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

466. Whoever forges a document, purporting to be a record or proceeding of or in a Court of Justice, or a Register of Birth, Baptism, Marriage, or Burial, or a Register kept by a public servant as such, or certificate or document purporting to be made by a public servant in his official capacity, or to take any proceedings therein, or to con- judgment, or a power of

attorney, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

467. Whoever forges a document which purports to be a valuable security, or a will, or an authority to adopt a son, or which purports to give authority to any person to make or transfer any valuable security, or to receive the principal, interest, or dividends thereon, or to receive or deliver any money, moveable property, or valuable security, or any document purporting to be an acquittance or receipt acknowledging the payment of money, or an acquittance or receipt for the delivery of any moveable property or valuable security, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

468. Whoever commits forgery intending that the document forged shall be used for the purpose of cheating, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

469. Whoever commits forgery intending that the document forged shall harm the reputation of any party, or knowing that it is likely to be used for that purpose, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

470. A false document made wholly or in part by forgery is designated "a forged document."

471. Whoever fraudulently or dishonestly uses as genuine any document which he knows or has reason to believe to be a forged document, shall be punished in the same manner as if he had forged such document.

472. Whoever makes or counterfeits any seal, plate, or other instrument for making an impression, intending that the same shall be used for the purpose of committing any forgery which would be punishable under Section 467, or with such intent has in his possession any such seal, plate, or other instrument, knowing the same to be counterfeit, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

473. Whoever makes or counterfeits any seal, plate, or other instrument for making an impression, intending that the same shall be used for the purpose of committing any forgery which would be punishable under any Section of this Chapter other than Section 467, or with such intent has in his possession any such seal, plate, or other instrument, knowing the same to be counterfeit, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

474. Whoever has in his possession any document, knowing the same to be forged, and intending that the same shall fraudulently or dishonestly be used as genuine, shall, if the document is one of the description mentioned in Section 466, be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine; and if the document is one of the description mentioned in Section 467, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

475. Whoever counterfeits upon, or in the substance of, any material, any device or mark used for the purpose of authenticating any document described in Section 467, intending that such device or mark shall be used for the purpose of giving the appearance of authenticity to any document then forged or thereafter to be forged on such material, or who with such intent has in his possession any material upon or in the substance of which any such device or mark has been counterfeited, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

476. Whoever counterfeits upon, or in the substance of, any material, any device or mark used for the purpose of authenticating any document other than the documents described in Section 467, intending that such device or mark shall be used for the purpose of giving the appearance of authenticity to any document then forged or thereafter to be forged on such material, or who with such intent has in his possession any material upon or in the substance of which any such device or mark has been counterfeited, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

477. Whoever fraudulently or dishonestly, or with intent to cause damage or injury to the public or to any person, cancels, destroys, or defaces, or attempts to cancel, destroy, or deface, or secretes or attempts to secrete, any document which is or purports to be a will, or an authority to adopt a son, or any valuable security, or commits mischief in respect to such document, shall be punished with transportation for life, or with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

#### OF TRADE AND PROPERTY-MARKS.

478. A mark used for denoting that goods have been made or manufactured by a particular person or at a particular time or place, or that they are of a particular quality, is called a trade-mark.

479. A mark used for denoting that moveable property belongs to a particular person, is called a property-mark.

480. Whoever marks any goods, or any case, package, or other receptacle containing goods, or uses any case, package, or other receptacle with any mark thereon, with the intention of causing it to be believed that the goods so marked, or any goods contained in any such case, package, or receptacle so marked, were made or manufactured by any person by whom they were not made or manufactured, or that they were made or manufactured at any time or place at which they were not made or manufactured, or that they are of a particular quality of which they are not, is said to use a false trade-mark.

481. Whoever marks any moveable property or goods, or any case, package, or other receptacle containing moveable property or goods, or uses any case, package, or other receptacle having any mark thereon, with the intention of causing it to be believed that the property or goods so marked, or any property or goods contained in any case, package, or other receptacle so marked, belong to a person to whom they do not belong, is said to use a false property-mark.

482. Whoever uses any false trade-mark or any false property-mark with intent to deceive or injure any person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

483. Whoever, with intent to cause damage or injury to the public or to any person, knowingly counterfeits any trade or property-mark used by any other person, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

484. Whoever, with intent to cause damage or injury to the public or to any person, knowingly counterfeits any property-mark used by a public servant, or any mark used by a public servant to denote that any property has been manufactured by a particular person or at a particular time or place, or that the same is of a particular quality or has passed through a particular officer, or that it is entitled to any exemption, or uses as genuine any such mark knowing the same to be counterfeit, shall be punished with imprisonment of either description for a term which may extend to three years, and shall also be liable to fine.

485. Whoever makes or has in his possession any die, plate, or other instrument for the purpose of making or counterfeiting any public or private property or trade-mark with intent to use the same for the purpose of counterfeiting such mark, or has in his possession any such property or trade-mark with intent that the same shall be used for the purpose of denoting that any goods or merchandize were made or manufactured by any particular person or firm by whom they were not made, or at a time or place at which they were not made, or that they are of a particular quality of which they are not, or that they belong to a person to whom they

do not belong, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

486. Whoever sells any goods with a counterfeit property or trade-mark, whether public or private, affixed to or impressed upon the same or upon any case, wrapper, or receptacle in which such goods are packed or contained, knowing that such mark is forged or counterfeit, or that the same has been affixed to or impressed upon any goods or merchandize not manufactured or made by the person or at the time or place indicated by such mark, or that they are not of the quality indicated by such mark, with intent to deceive, injure, or damage any person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

487. Whoever fraudulently makes any false mark upon any package or receptacle containing goods, with intent to cause any public servant or any other person to believe that such package or receptacle contains goods which it does not contain, or that it does not contain goods which it does contain, or that the goods contained in such package or receptacle are of a nature or quality different from the real nature or quality thereof, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both.

488. Whoever fraudulently makes use of any such false mark with the intent last aforesaid, knowing such mark to be false, shall be punished in the manner mentioned in the last preceding Section.

489. Whoever removes, destroys, or defaces any property-mark, intending or knowing it to be likely that he may thereby cause injury to any person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

## CHAPTER XIX.

### OF THE CRIMINAL BREACH OF CONTRACTS OF SERVITUDE.

490. Whoever, being bound by a lawful contract to render his personal service in conveying or conducting any person or any property from one place to another place, or to act as servant to any person during a voyage or journey, or to guard any person or property during a voyage or journey, voluntarily omits so to do, except in the case of illness or ill-treatment, shall be punished with imprisonment of either description for a term which may extend to one month, or with fine which may extend to one hundred Rupees, or with both.

#### Illustrations.

(a) A, a palanquin bearer, being bound by legal contract to carry Z from one place to another, runs away in the middle of the stage. A has committed the offence defined in this Section.

(b) A, a cooly, being bound by lawful contract to carry Z's baggage from one place to another, throws the baggage away. A has committed the offence defined in this Section.

(c) A, a proprietor of bullocks, being bound by legal contract to convey goods on his bullocks from one place to another, illegally omits to do so. A has committed the offence defined in this Section.

(d) A, by unlawful means, compels B, a cooly, to carry his baggage. B in the course of the journey puts down the baggage and runs away. Here, as B was not lawfully bound to carry the baggage, he has not committed any offence.

*Explanation.*—It is not necessary to this offence that the contract should be made with the person for whom the service is to be performed. It is sufficient if the contract is legally made with any person, either expressly or impliedly, by the person who is to perform the service.

#### Illustration.

A contracts with a Dak Company to drive his carriage for a month. B employs the Dak Company to convey him on a journey, and during the month the Company supplies B with a carriage which is driven by A. A in the course of the journey voluntarily leaves the carriage. Here, although A did not contract with B, A is guilty of an offence under this Section.

491. Whoever, being bound by a lawful contract to attend on or to supply the wants of any person who by reason of youth, or of unsoundness of mind, or of a disease or bodily weakness, is helpless or incapable of providing for his own safety, or of supplying his own wants, voluntarily omits so to do, shall be punished with imprisonment of either description for a term which may extend to three months, or with fine which may extend to two hundred Rupees, or with both.

492. Whoever, being bound by lawful contract in writing to work for another person as an artificer, workman, or laborer, for a period not more than three years, at any place within British India to which by virtue of the contract he has been or is to be conveyed at the expense of such other, voluntarily deserts the service of that other during the continuance of his contract, or without reasonable cause refuses to perform the service which he has contracted to perform, such service being reasonable and proper service, shall be punished with imprisonment of either description for a term not exceeding one month, or with fine not exceeding double the amount of such expense, or with both; unless the employer has ill-treated him or neglected to perform the contract on his part.

## CHAPTER XX.

### OF OFFENCES RELATING TO MARRIAGE.

493. Every man who by deceit causes any woman who is not lawfully married to him, to believe that she is lawfully married to him and to cohabit or have sexual intercourse with him in that belief, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

494. Whoever, having a husband or wife living, marries in any case in which such marriage is void by reason of its taking place during the life of such husband or wife, shall be punished with imprisonment of

either description for a term which may extend to seven years, and shall also be liable to fine.

*Exception.*—This Section does not extend to any person whose marriage with such husband or wife has been declared void by a Court of competent jurisdiction, nor to any person who contracts a marriage during the life of a former husband or wife, if such husband or wife, at the time of the subsequent marriage, shall have been continually absent from such person for the space of seven years, and shall not have been heard of by such person as being alive within that time, provided the person contracting such subsequent marriage shall, before such marriage takes place, inform the person with whom such marriage is contracted, of the real state of facts so far as the same are within his or her knowledge.

495. Whoever commits the offence defined in the last preceding Section, having concealed from the person with whom the subsequent marriage is contracted the fact of the former marriage, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

496. Whoever, dishonestly or with a fraudulent intention, goes through the ceremony of being married, knowing that he is not thereby lawfully married, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

497. Whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence of adultery, and shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both. In such case the wife shall not be punishable as an abettor.

498. Whoever takes or entices away any woman who is and whom he knows or has reason to believe to be the wife of any other man, from that man or from any person having the care of her on behalf of that man, with intent that she may have illicit intercourse with any person, or conceals or detains with that intent any such woman, shall be punished with imprisonment of either description for a term, which may extend to two years, or with fine, or with both.

## CHAPTER XXI.

### OF DEFAMATION.

499. Whoever, by words either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person intending to harm, or knowing or having reason to believe that such imputation will harm the reputation of such person, is said, except in the cases hereinafter excepted, to defame that person.

*Explanation 1.*—It may amount to defamation to impute anything to a deceased person, if

the imputation would harm the reputation of that person if living, and is intended to be hurtful to the feelings of his family or other near relatives.

*Explanation 2.*—It may amount to defamation to make an imputation concerning a company or an association or collection of persons as such.

*Explanation 3.*—An imputation in the form of an alternative or expressed ironically, may amount to defamation.

*Explanation 4.*—No imputation is said to harm a person's reputation, unless that imputation directly or indirectly, in the estimation of others, lowers the moral or intellectual character of that person, or lowers the character of that person in respect of his caste or of his calling, or lowers the credit of that person, or causes it to be believed that the body of that person is in a loathsome state, or in a state generally considered as disgraceful.

#### Illustrations.

(a) A says—"Z is an honest man; he never stole B's watch;" intending to cause it to be believed that Z did steal B's watch. This is defamation, unless it fall within one of the Exceptions.

(b) A is asked who stole B's watch. A points to Z, intending to cause it to be believed that Z stole B's watch. This is defamation, unless it fall within one of the Exceptions.

(c) A draws a picture of Z running away with B's watch, intending it to be believed that Z stole B's watch. This is defamation, unless it fall within one of the Exceptions.

*First Exception.*—It is not defamation to impute anything which is true concerning any person, if it be for the public good that the imputation should be made or published. Whether or not it is for the public good is a question of fact.

*Second Exception.*—It is not defamation to express in good faith any opinion whatever respecting the conduct of a public servant in the discharge of his public functions, or respecting his character, so far as his character appears in that conduct, and no farther.

*Third Exception.*—It is not defamation to express in good faith any opinion whatever respecting the conduct of any person touching any public question, and respecting his character, so far as his character appears in that conduct, and no farther.

#### Illustration.

It is not defamation in A to express in good faith any opinion whatever respecting Z's conduct in petitioning Government on a public question, in signing a requisition for a meeting on a public question, in presiding or attending at such a meeting, in forming or joining any society which invites the public support, in voting or canvassing for a particular candidate for any situation in the efficient discharge of the duties of which the public is interested.

*Fourth Exception.*—It is not defamation to publish a substantially true report of the proceedings of a Court of Justice, or of the result of any such proceedings.

*Explanation.*—A Justice of the Peace or other Officer holding an enquiry in open Court preliminary to a trial in a Court of Justice, is a Court within the meaning of the above Section.



**Fifth Exception.**—It is not defamation to express in good faith any opinion whatever respecting the merits of any case, Civil or Criminal, which has been decided by a Court of Justice, or respecting the conduct of any person as a party, witness, or agent, in any such case, or respecting the character of such person, as far as his character appears in that conduct, and no farther.

*Illustrations.*

(a) A says—"I think Z's evidence on that trial is so contradictory that he must be stupid or dishonest." A is within this Exception if he says this in good faith; inasmuch as the opinion which he expresses respects Z's character as it appears in Z's conduct as a witness, and no farther.

(b) But if A says—"I do not believe what Z asserted at that trial, because I know him to be a man without veracity,"—A is not within this Exception, inasmuch as the opinion which he expresses of Z's character, is an opinion not founded on Z's conduct as a witness.

**Sixth Exception.**—It is not defamation to express in good faith any opinion respecting the merits of any performance which its author has submitted to the judgment of the public, or respecting the character of the author so far as his character appears in such performance, and no farther.

**Explanation.**—A performance may be submitted to the judgment of the public expressly or by acts on the part of the author which imply such submission to the judgment of the public.

*Illustrations.*

(a) A person who publishes a book, submits that book to the judgment of the public.

(b) A person who makes a speech in public, submits that speech to the judgment of the public.

(c) An actor or singer who appears on a public stage, submits his acting or singing to the judgment of the public.

(d) A says of a book published by Z—"Z's book is foolish, Z must be a weak man. Z's book is indecent, Z must be a man of impure mind." A is within this Exception, if he says this in good faith, inasmuch as the opinion which he expresses of Z respects Z's character only so far as it appears in Z's book, and no farther.

(e) But if A says—"I am not surprised that Z's book is foolish and indecent, for he is a weak man and a libertine," A is not within this Exception, inasmuch as the opinion which he expresses of Z's character is an opinion not founded on Z's book.

**Seventh Exception.**—It is not defamation in a person having over another any authority, either conferred by law, or arising out of a lawful contract made with that other, to pass in good faith any censure on the conduct of that other in matters to which such lawful authority relates.

*Illustration.*

A Judge censuring in good faith the conduct of a witness or of an officer of the Court; a head of a department censuring in good faith those who are under his orders; a parent censuring in good faith a child in the presence of other children; a schoolmaster, whose authority is derived from a parent, censuring in good faith a pupil in the presence of other pupils; a master censuring a servant in good faith for remissness in service; a banker censuring in good faith his cashier for the conduct of such cashier as such cashier—are within this Exception.

**Eighth Exception.**—It is not defamation to prefer in good faith an accusation against any person to any of those who have lawful authority over that person with respect to the subject matter of accusation.

*Illustration.*

If A in good faith accuses Z before a Magistrate; if A in good faith complains of the conduct of Z, a servant, to Z's master; if A in good faith complains of the conduct of Z, a child, to Z's father—A is within this Exception.

**Ninth Exception.**—It is not defamation to make an imputation on the character of another, provided that the imputation be made in good faith for the protection of the interests of the person making it, or of any other person, or for the public good.

*Illustrations.*

(a) A shopkeeper says to B, who manages his business,—"Sell nothing to Z unless he pays you ready money, for I have no opinion of his honesty." A is within the Exception if he has made this imputation on Z in good faith, for the protection of his own interests.

(b) A, a Magistrate, in making a report to his superior officer, casts an imputation on the character of Z. Here, if the imputation is made in good faith and for the public good, A is within the Exception.

**Tenth Exception.**—It is not defamation to convey a caution, in good faith, to one person against another, provided that such caution be intended for the good of the person to whom it is conveyed, or of some person in whom that person is interested, or for the public good.

500. Whoever defames another shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both.

501. Whoever prints or engraves any matter, knowing or having good reason to believe that such matter is defamatory of any person, shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both.

502. Whoever sells or offers for sale any printed or engraved substance containing defamatory matter, knowing that it contains such matter, shall be punished with simple imprisonment for a term which may extend to two years, or with fine, or with both.

## CHAPTER XXII.

### • OF CRIMINAL INTIMIDATION, INSULT, AND ANNOYANCE.

503. Whoever threatens another with any injury to his person, reputation, or property, or to the person or reputation of any one in whom that person is interested, with intent to cause alarm to that person, or to cause that person to do any act which he is not legally bound to do or to omit to do any act which that person is legally entitled to do as the means of avoiding the execution of such threat, commits criminal intimidation.

**Explanation.**—A threat to injure the reputation of any deceased person in whom the person threatened is interested, is within this Section.

*Illustration.*

A, for the purpose of inducing B to desist from prosecuting a civil suit, threatens to burn B's house. A is guilty of criminal intimidation.

504. Whoever intentionally insults, and thereby gives provocation to any person, intending or knowing it to be likely that such provocation will cause him to break the public peace, or to commit any other offence, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

505. Whoever circulates or publishes any statement, rumour, or report, which he knows to be false, with intent to cause any officer, soldier, or sailor in the Army or Navy of the Queen to mutiny, or with intent to cause fear or alarm to the public and thereby to induce any person to commit an offence against the State or against the public tranquillity, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.

506. Whoever commits the offence of criminal intimidation shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both; and if the threat be to cause death or grievous hurt, or to cause the destruction of any property by fire, or to cause an offence punishable with death or transportation, or with imprisonment for a term which may extend to seven years, or to impute unchastity to a woman, shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both.

507. Whoever commits the offence of criminal intimidation by an anonymous communication, or having taken precaution to conceal the name or abode of the person from whom the threat comes, shall be punished with imprisonment of either description for a term which may extend to two years, in addition to the punishment provided for the offence by the last preceding Section.

508. Whoever voluntarily causes or attempts to cause any person to do any thing which that person is not legally bound to do, or to omit to do any thing which he is legally entitled to do, by inducing or attempting to induce that person to believe that he or any person in whom he is interested will become or will be rendered by some act of the offender an object of divine displeasure if he does not do the thing which it is the object of the offender to cause him to do, or if he does the thing which it is the object

of the offender to cause him to omit, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

*Illustrations.*

(a) A puts dhurna at Z's door with the intention of causing it to be believed that by so sitting he renders Z an object of divine displeasure. A has committed the offence defined in this Section.

(b) A threatens Z that, unless Z performs a certain act, A will kill one of A's own children, under such circumstances that the killing would be believed to render Z an object of divine displeasure. A has committed the offence defined in this Section.

509. Whoever, intending to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen by such woman, or intrudes upon the privacy of such woman, shall be punished with simple imprisonment for a term which may extend to one year, or with fine, or with both.

510. Whoever, in a state of intoxication, appears in any public place, or in any place which it is a trespass in him to enter, and there conducts himself in such a manner as to cause annoyance to any person, shall be punished with simple imprisonment for a term which may extend to twenty-four hours, or with fine which may extend to ten Rupees, or with both.

CHAPTER XXIII.

OF ATTEMPTS TO COMMIT OFFENCES.

511. Whoever attempts to commit an offence punishable by this Code with transportation or imprisonment, or to cause such an offence to be committed, and in such attempt does any act towards the commission of the offence, shall, where no express provision is made by this Code for the punishment of such attempt, be punished with transportation or imprisonment of any description provided for the offence, for a term of transportation or imprisonment which may extend to one-half of the longest term provided for that offence, or with such fine as is provided for the offence, or with both.

*Illustrations.*

(a) A makes an attempt to steal some jewels by breaking open a box, and finds after so opening the box that there is no jewel in it. He has done an act towards the commission of theft, and therefore is guilty under this Section.

(b) A makes an attempt to pick the pocket of Z by thrusting his hand into Z's pocket. A fails in the attempt in consequence of Z's having nothing in his pocket. A is guilty under this Section.

M. WYLIE,  
Clerk of the Council.



SECOND APPENDIX TO  
**The Calcutta Gazette.**

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SATURDAY, OCTOBER 20, 1860.

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LAND SALE NOTICES.

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NOTICE is hereby given, under Section VI. Act XI. of 1859, that the under-mentioned Estate, in Zillah Tipperah, will be put up to public and unreserved Sale, at the Collector's Office of that District, on the 16th day of November 1860, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th day of September 1860 :—

*Class I.—Permanently-settled Estate.*

No. 1369.—Pergunnah Shampore, Mehal Nowrah; recorded proprietor, Mr. G. H. Lamb; sudder jumma, rupees 806-11-0.

J. D. GORDON,  
*Officiating Collector.*

TIPPERAH;  
Collector's Office,  
The 2nd October 1860. }

NOTICE is hereby given, under Section VI. Act XI. of 1859, that the under-mentioned Estate, in Zillah Jessore, will be put up to public and unreserved Sale, at the Collector's Office of that District, on the 17th November 1860, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th September 1860.

*Class I.—Permanently-settled Mehal.*

No. 326.—Kismut Donar and Ashan Nuggur, Pergunnah Emadpore; recorded proprietors, Hurchunder Ghose, Brozonath Ghose, Chundernath Ghose and Bishoshere Dasia; sudder jumma, rupees 536-15-4.

R. J. WIGRAM,  
*Offg. Collector.*

JESSORE COLLECTORATE,  
The 10th October 1860. }



# The Calcutta Gazette.

WEDNESDAY, OCTOBER 24, 1860.

## HOME DEPARTMENT.

No. 2072.

Fort William, the 20th October 1860.

*Notification.*—Under Section CCXLVI. Act XXXII. of 1860, the Governor General in Council is pleased to prescribe the following Form in substitution of the Form No. XI., published in the *Calcutta Gazette* of the 15th, 18th, and 22nd August 1860 —

Form No. 11

## INCOME TAX.

For the year ending 31st July 1861

LIST OF LODGERS, INMATES, CLERKS, AND SERVANTS, UNDER ACT XXXII. OF 1860, SECTION XLII.

1.	2.	3.
Name and Residence of person making Return.	Name of any member of your family residing in your dwelling-house, who is in the receipt, in his or her own right, of Income or Profits liable to be assessed with duty under Act XXXII. of 1860.	Name of any adult person, residing in your dwelling-house not being a member of your family.  [Note.—In this column will be included the name of any person in your service, and residing in your dwelling-house, whose yearly wages may amount to 200 Rupees and upwards. The amount of the wages of such servant should also be stated.]



No. 2073.

*The 20th October 1860.*

The Reverend Dormer Fynes-Clinton, M. A., has been appointed by the Secretary of State to be an Assistant Chaplain on the Bengal Establishment. Mr. Fynes-Clinton's appointment takes effect from the 7th instant.

Mr. Fynes-Clinton's services are placed at the disposal of the Government of the North-Western Provinces.

No. 2074.

*The 23rd October 1860.*

With reference to Section III. of Act No. XLI. of 1860, it is notified that such regulations have been provided and such measures taken as the Governor General in Council deems necessary for the protection of Emigrant laborers, Natives of India, during their residence in the British Colony of St. Kitts and in respect of their return to India.

Act No. XLI. of 1860 will accordingly take effect as to the said Colony of St. Kitts from this day.

W. GREY,

*Secy. to the Govt. of India.*

#### FOREIGN DEPARTMENT.

No. 4969.

*Fort William, the 23rd October 1860.*

Captain F. Cunningham, First Assistant to the Commissioner of Mysore, resumed charge of his duties on the 29th ultimo.

No. 4970.

Mr. J. Kavanagh assumed charge of his duties as Assistant Superintendent of Survey and Settlement on the 1st instant.

No. 4971.

Lieutenant J. C. Wood, Superintendent of Dhar, assumed charge of the Offices of Bheel Agent and

Political Assistant and Commandant of the Malwa Bheel Corps on the 1st instant.

No. 4972.

Colonel J. Travers assumed charge of the duties of Political Assistant at Goonah on the 28th ultimo.

No. 4973.

Mr. T. Crawley, Officiating Extra Assistant Commissioner at Nagpore, has obtained ten days' privilege leave of absence from the 8th instant.

No. 4974.

The Governor General in Council is pleased to appoint Lieutenant R. O. H. Forbes, Assistant Commissioner, 3rd Class in Oudh, to be District Superintendent of Police of the 3rd Class in that Province.

A. B. YOUNG,

*Deputy Secy. to the Govt. of India.*

#### MILITARY DEPARTMENT.

*Fort William, the 23rd October 1860.*

No. 1035 of 1860.—The under-mentioned Officer is permitted to proceed to Europe, on leave of absence on Sick Certificate :—

Captain and Brevet Major	} For eighteen months, under the old Regulations.
Alfred Chicheley Plowden, of	
the 50th Regiment Native	
Infantry, and Aide-de-Camp	
to the Hon'ble the Lieutenant-Governor of Bengal ...	

No. 1089 of 1860.—The following Extract, from the *London Gazette* of the 11th September 1860, is published for general information :—

WAR OFFICE, PALE MALL,

*The 11th September 1860.*

BREVET.

Captain Charles Mordaunt Fitzgerald, 51st Bengal Native Infantry, to be Major in the Army, dated 15th August 1859.

The following promotions to take place in Her Majesty's Indian Military Forces, consequent on

the deaths of

General Sir Hopetoun Stratford Scott, K. C. B., Madras Infantry, on the 25th of June 1860; and of

Major General Frederick Blundell, C. B., Madras Artillery, on the 5th July 1860.

*To be General.*

Lieutenant General Edward Frederick, C. B., Bombay Infantry, dated 26th June 1860.

*To be Lieutenant General.*

Major General Archibald Brown Dyce, Madras Infantry, dated 26th June 1860.

*To be Major General.*

Colonel Henry Goodwyn, Bengal Engineers, dated 26th June 1860.

Colonel William George White, Madras Infantry, dated 6th July 1860.

The under-mentioned Officers of Her Majesty's Indian Military Forces, retired on full pay, to have a step of Honorary Rank as follows:—

*To be Major General.*

Colonel Coghill Glendour Ottley, Madras Infantry, dated 11th September 1860.

*To be Colonels.*

Lieutenant-Colonel Henry Green, Madras Infantry, dated 11th September 1860.

Lieutenant-Colonel Henry Downes Shippard, Madras Infantry, dated 11th September 1860.

Lieutenant Colonel Henry Boyé, Bombay Infantry, dated 11th September 1860.

*To be Lieutenant Colonels.*

Major Thomas Prendergast Walsh, Madras Infantry, dated 11th September 1860.

Major George Maryat Gumm, Madras Artillery, dated 11th September 1860.

Major Bernard Cary, Bengal Infantry, dated 11th September 1860.

*To be Majors.*

Captain William Alexander Shaw, Bengal Cavalry, dated 11th September 1860.

Captain Francis John Mills Mason, Madras Infantry, dated 11th September 1860.

No. 1040 of 1860.—His Excellency the Governor General in Council is pleased to promote Sergeant Duncan Revie, Engineer and Foreman of the Gun Carriage Agency at Futtighurh, to the rank of Sub-Conductor.

No. 1041 of 1860.—The under-mentioned Officer has reported his return from England:—

*Date of Arrival at Fort William.*

Lieutenant J. M. Hobbs, of the 38th Native Infantry, 11th October 1860.

No. 1042 of 1860.—Captain and Brevet-Colonel H. Tomba, C. B., of Artillery, is allowed an extension of leave to the 11th instant, the date on which he reported his return to Bengal from Sick leave to Europe.

No. 1043 of 1860.—The following Promotions are made in the Subordinate Grades:—

*Army Commissariat Department.*

Sub-Conductor Henry Gardner to be Conductor	...	In succession to Conductor J. Atkin, pensioned.
Sergeant M. Carew to be Sub-Conductor	...	
	...	

No. 1044 of 1860.—His Excellency the Governor General in Council is pleased to admit Naick Rajeannah, of the 2nd Company, Bombay Sappers and Miners, to the 3rd Class of the Order of Merit, in consideration of his conspicuous gallantry on the occasion of the capture of the Fort of Lohatee on the 2nd May 1858.

No. 1045 of 1860.—The under-mentioned Non-Commissioned Officer and Privates are admitted to Pension, as specified opposite to their respective names:—

Sergeant Partrick McKey	.	{ Thirty Rupees per month, payable in India.
Private James Ashworth	.	
" Edward Cummins	...	{ One Shilling each per diem, payable in Europe.
" Edward O'Neill	...	
" Joseph Smith	...	

No. 1046 of 1860.—Mr. James Low, Sub-Assistant, Great Trigonometrical Survey, is promoted from the 3rd to the 2nd Class, with effect from the 1st October 1860.

No. 1047 of 1860.—The under-mentioned Officer is permitted to proceed to Europe, on leave of absence on Sick Certificate:—

Lieutenant James Williamson	{ For two years, under the old Bengal Fusiliers Regulations.
Daniell, of the 1st European	

No. 1048 of 1860.—Captain Albert Locke Nicholson, of the 64th Regiment Native Infantry, doing duty with the Kamroop Regiment, is permitted to proceed to Sea on Medical Certificate, and to be absent from Bengal on that account for three months, under the old Regulations.

No. 1049 of 1860.—His Excellency the Governor General in Council is pleased to notify, that all

Candidates for admission into the Subordinate Medical Department are to be attested agreeably to the subjoined Form :—

*Questions to be put by a Justice to the Recruit.*

What is your name ?  
Where were you born ?  
What is your age ?  
Are you married ?  
Are you ruptured or lame ; have you ever been subject to fits, or have you any disability or disorder which impedes the free use of your limbs, or unfits you for ordinary labor ?  
Are you willing to be attested, to serve in Her Majesty's Indian Forces in the Bengal Subordinate Medical Department, until you shall be legally discharged ? ...

*Oath to be taken by a Recruit enlisting in the Indian Medical Subordinate Service.*

I do make Oath that the above Questions have been separately put to me, that the Answers thereto have been read over to me, and that they are the same that I gave and are true. I do make Oath, that I will be faithful and bear true allegiance to Her Majesty, Her Heirs, and Successors, and will duly observe and obey all Orders of Her Majesty, Her Heirs, and Successors, and of the Generals and Officers set over me.

So help me God.

Witness my hand

*Signature of Recruit.*

*Signature of Witness present.*

Sworn before me at the  
day of one thousand eight hundred and  
at o'clock

*Signature of Justice.*

*Certificate to be given by the Justice.*

Description of  
Age apparently  
Height  
Complexion  
Eyes  
Hair  
Any distinctive marks.

To All. { I one of Her  
Majesty's Justices of the Peace of  
do hereby  
Certify, that the above is the description of  
, and that in my presence all  
the foregoing Questions were put to the said  
, that the Answers written opposite to them are those which he gave to me, and that the fortieth and forty-first Articles of the second Section of the Articles of War were read over to him, that he took the Oath of fidelity, and that I have given him a Duplicate of this Certificate, signed with my name.

No. 1050 of 1860.—His Excellency the Governor General in Council is pleased to make the following appointment :—

Major J. T. Walker, of the Bombay Engineers, First Assistant, to be Astronomical Assistant, Great Trigonometrical Survey of India.

No. 1051 of 1860.—The following paragraphs of a Military letter from the Right Hon'ble the Secretary of State for India No. 357, of the 11th ultimo, are published for general information :—

I have lately expressed to the Lords Commissioners of the Admiralty a wish that the Admiralty Agents at the respective Presidencies should receive instructions to provide the Officers of Her Majesty's Indian Forces returning to this Country, with Contract Passages when required to do so by competent authority. Their Lordships have been pleased to comply with this request, and have instructed the Senior Officer of Her Majesty's Ships and Vessels on the East India Station accordingly.

2. The number of Passages at the Contract Rate, which can be ordered by any one Packet is at present limited to eight, for Officers of the Army and Navy combined.

3. You will direct application to be made to the Admiralty Agents for Contract Passages to the authorized extent for Officers of both Her Majesty's British and Indian Forces, when returning Home under circumstances entitling them to free Passages, instead of issuing to them the established rate of Passage allowance.

4. The Lords Commissioners of the Admiralty have also promised that, in the event of a modification or renewal of the contract with the Peninsular and Oriental Navigation Company for the conveyance of the Mails, an opportunity will be taken to provide for the accommodation of an additional number of Officers and Soldiers at the Contract Rates.

R. J. H. BIRCH, Major-General,  
Secy. to the Govt. of India.

## PUBLIC WORKS DEPARTMENT.

### GENERAL.—ESTABLISHMENTS.

No. 255.

Port William, the 22nd October 1860.

Notification.—Overseer D. Wron, attached to the 2nd Division Grand Trunk Road, is permitted to resign his appointment in the Public Works Department.

No. 256.

Promotion.—Mr. J. Bennett, Sub-Engineer of the First Class, is promoted to the grade of Special Assistant Engineer, and appointed to officiate as Executive Engineer, Singapore, during the absence on Sick leave of Captain McNair, or till further orders.

C. H. DICKENS, Captain,  
Secy. to the Govt. of India.

# ORDERS by the LIEUTENANT-GOVERNOR of BENGAL.

No. 5567.

**APPOINTMENTS.**—*The 15th October 1860*—Mr. F. H. Elphinstone, Deputy Magistrate and Deputy Collector of Midnapore, is transferred to Hooghly, in which District he will exercise the powers of a Covenanted Assistant to a Magistrate, under Regulations XIII. of 1797 and IX. of 1807.

The following Gentlemen to be Assessors and Deputy Collectors, under Act XXXII. of 1860, in the Districts mentioned, viz:—

*In Beerbhoom.*

★ Baboo Gopaul Chunder Bysack. ✓

*In Durrug.*

Mr. W. H. Brownlow. ✓

*In Luckimpore.*

★ Mr. H. Michel.

*In Nowgong.*

★ Baboo Puddoorah Burrooah. ✓

*In Kamroop.*

★ Sukawut Hossein ✓

★ Kriteenauth Gohain. ✓

*In the Cassiah Hills.*

Mr. J. B. Shadwell. ✓

*The 16th October 1860*—Baboo Harkunt Laroah to be a Deputy Collector, under Regulation IX. of 1853, in Kamroop.

★ Moulayy Khyrat Hossein, Moonsiff of Nugwar, is vested with the powers of a Deputy Collector, under Section CL, Act X. of 1859, in the District of Midnapore.

*The 17th October 1860.*—Mr. A. B. Falcon, in charge of the Sub-Division of Jendak, is vested with the powers of a Joint Magistrate and Deputy Collector in Jessore.

*The 18th October 1860.*—The Reverend F. O. Munn to be Chaplain of the Garrison of Fort William and the Military Hospital.

**LEAVE OF ABSENCE.**—*The 15th October 1860*—Captain J. S. Davies, Senior Assistant to the Commissioner of Chota Nagpore at Lohardugga, from the 15th to the 31st instant, under Section XII. of the new Revised Absentee Rules.

Synd Sukhawut Hossein, Additional Principal Sudder Ameen of Hooghly, during the ensuing Dussarah Vacation, under Clause 2, Section VII. of the Uncovenanted Absentee Rules.

*The 17th October 1860.*—Baboo Muddon Soondur Pichasputtee, Provincial Pandit of the 24-Pergunnahs, for one month on Medical Certificate under Clause 2, Section V. of the Uncovenanted Absentee Rules.

Moulayy Unwar Ali, Sudder Ameen and Sudder Moonsiff of Naccolly, from the 17th to the 31st instant, under Clause 2, Section VII. of the Uncovenanted Absentee Rules.

Baboo Issur Chunder Mitter, Deputy Magistrate and Deputy Collector of Khoolna, for a fortnight, under Clause 1, Section VII. of the Uncovenanted Absentee Rules.

*The 18th October 1860.*—Mr. A. C. Wright, Deputy Magistrate and Deputy Collector of Moonsheergunge, for one month, under Clause 1, Section VII. of the Uncovenanted Absentee Rules.

Baboo Gurgoram Burrooah, Sudder Ameen of Gowalparah during the ensuing Dussarah Vacation, under Clause 2, Section VII. of the Uncovenanted Absentee Rules.

Mr. S. C. Amesbury, Civil Assistant Surgeon of Dinagore, for one month, under Section XII. of the new Revised Absentee Rules, making over charge of the Medical duties of the Station to the Native Doctor.

*The 19th October 1860*—Lieutenant R. Stewart, Superintendent of Cachar, for six weeks, under the Financial Resolution of the 11th January 1859, to enable him to join his appointment.

**NOTIFICATION.**—*The 15th October 1860*—It is hereby notified that Act XX. of 1856 shall have effect from this date in the Vil-

Khamakool,	Obdipore	lages noted in
Dyau	Chaugpore	the margin,
Billock	Radhaballulpore.	which are situ-
Nanampore.	Kolia	ated in the Su-
Gopalnuggur.	Chota Shempore	baris of Khama-
Kishtonuggur	Radhanuggur	kool in Hooghly,
Nunguopore	Baro Shempore.	and that the said Villages will, in conformity with
Baghmoathpore		Section III. of the Act, be united with the afore-

said place for the purpose of carrying out the provisions of the Act.

Under Section IV. of Act XX. of 1856 it is also hereby notified, that the limits of the above-mentioned Union are the limits defined in the Measurement Papers of the Revenue Surveyor, which are in deposit in the Collector's Office at Hooghly.

Under Section V. of the Act it is hereby further notified, that the Tax to be levied upon the Inhabitants will be an assessment according to the circumstances and property to be protected of the persons liable to the same.

W. S. SETON-KARR,

Offg. Secy. to the Govt. of Bengal.

## Public Works, Railway, Dept., Bengal.

No. 1.

**NOTIFICATION.**—*The 23rd October 1860.*—Captain F. S. Stanton, Deputy Consulting Engineer to Government, Bengal, Railway Department, availed himself of his privilege leave (the grant of which was published in the Gazette of the 5th September) from the 5th September.

No 2.

Captain F. S. Stanton returned to duty on the 29th September.

J. P. BEADLE, Captain,

Joint-Secy., Govt. of Bengal.

Public Works Department,

Railway Branch.



**ORDERS by the LIEUTENANT-GOVERNOR, N. W. Provinces.**

**NOTIFICATIONS.**

**MILITARY DEPARTMENT.**

No. 856A.

*Camp Nynce Tul, the 11th October 1860.*

*Leave of Absence.*—Privilege leave for two months, from the 15th instant, to visit Calcutta, on private affairs, is granted to Mr. William Charsley Thomas, Adjutant of the Mynpoory District Battalion of Military Police.

Captain J. J. Eckford, the Commandant, will perform the duties of the Adjutant's Office, in addition to his own, during the absence of Mr. Thomas, or until further orders.

No. 858A.

Privilege leave for two months, from the 15th instant, is granted to Brevet Captain W. H. Binny, Officiating Commandant of the Dacca District Battalion of Military Police, to visit Dargeeling and Calcutta, on urgent private affairs.

Mr. E. Berrill, the Adjutant, will take temporary charge of the Battalion, in addition to his other duties, during the absence of Captain Binny, or until further orders.

No. 861A.

*Notification.*—Rensaldar George Solomon, of the Saugor Battalion of Military Police, is permitted to resign his appointment.

No. 867A.

*Leave of Absence.*—Leave of absence on Medical Certificate, for three months, to visit the Presidency, is granted to Lieutenant G. R. Hennessy, Commandant of the Humeerpore Battalion of Military Police, from the date on which he may avail himself of the same.

With reference to the above, Lieutenant A. Ollivant, the Adjutant of the Jhansi Division of Military Police, will proceed to Humeerpore without delay, and take temporary charge of the Battalion, during the absence of Lieutenant G. R. Hennessy, or until further orders.

During the absence of Lieutenant A. Ollivant, on temporary duty at Humeerpore, Major W. Davis, the Commandant, will perform the duties of the Adjutant's Office, in addition to his own.

By Order of the Hon'ble the Lieutenant-Governor, North-Western Provinces,

O. M. GILCHRIST, Lieut.,

*Asst. Military Secy. to Govt., N. W. P.*

**ORDERS by the LIEUTENANT-GOVERNOR, Punjab Provinces.**

*Leave.*—Mr. B. Hardinge, Officiating Deputy Commissioner of Goojrat, has obtained two months' leave of absence, to enable him to proceed to Calcutta, preparatory to applying for Furlough to Europe.

The leave granted to Captain H. W. H. Cox, General Department, No. 2610, dated 8th October 1860, Deputy Commissioner of Peshawar, in *Punjab Gazette* of 11th August 1860, is extended on Medical Certificate to 31st October 1860, under the Rules applicable to Military Officers in Civil employ.

Sub-Assistant Surgeon Sudder ool Huq has obtained leave of absence, on private affairs, for six months, from such date as he may avail himself of the same.

*Powers.*—Mr. H. Burn, Assistant Commissioner, is vested with the full powers of a Magistrate and Collector.

Colonel Dhunraj, Extra Assistant Commissioner, having passed the Lower Standard of Examination, is vested with the special powers of an Assistant.

*Promotions.*—The Hon'ble the Lieutenant-Governor is pleased to make the following promotions:—

*To be Deputy Commissioners of the 2nd Class.*

Captain H. J. Hawes.

" R. R. Adams.

*To be Deputy Commissioners of the 3rd Class.*

Captain J. Fendall.

Lieutenant E. H. Paske.

*To be Assistant Commissioners of the 1st Class.*

Captain H. A. Dwyer.

" R. O. T. Nicolls.

*To be Assistant Commissioners of the 2nd Class.*

Lieutenant G. F. J. Lewin.

Mr. W. B. Jones.

Captain H. P. Bulbidge.

*Transfer.*—The transfer of Mr. H. E. Jacob, Assistant Commissioner, from Goojranwalla to Jhelum, notified in the *Punjab Gazette* of the 26th September 1860, is cancelled, and that Officer is hereby transferred to the Shahpore District.

B. H. DAVIES,

*Secy. to Govt., Punjab.*

LAHORE, THE 10TH OCTOBER 1860.

**3rd Punjab Infantry.**

No. 404.—Subadar Nowrunjan Sing having been declared unfit for further service, is, with the sanction of the Supreme Government, transferred to the Invalid Pension Establishment, and granted a stipend of eighteen Rupees per mensem, with effect from the date on which he may have been struck off the strength of his Regiment.

No. 405.—The services of Lieutenant-Colonel W. T. Hughes, Commanding 1st Punjab Cavalry, are placed temporarily at the disposal of His Excellency the Commander-in-Chief, from such date as he may be relieved from his present Command.

G. HUTCHINSON, Major,  
*Offg. Secy. to Govt., Punjab,  
Military Department.*

**Opium Notification.**

NOTICE is hereby given, that the Eleventh Sale of Opium, the provision of 1858-59, will be held at the Exchange Hall, on Monday, the 5th November 1860, at 11 A. M., and will comprise 1,780 Chests, viz. :—

Behar Opium ... ..	1,270
Benares ditto ... ..	510
<b>Total Chests ...</b>	<b>1,780</b>

2. The General Conditions of the Sale now advertised will be the same as usual. They may be ascertained by reference to the Notification issued on the 12th November 1859, and published in the *Government and Exchange Gazette*, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 10th and 20th November 1860, respectively, that is to say, no Sub-Treasurer's Receipts, Company's Paper, or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by purchasers at the Sale, will be received after 4 P. M. of Saturday, the 10th November 1860, and no Treasury Receipts in full payment of Lots will be accepted after 4 P. M. of Tuesday, the 20th November 1860.

4. In addition to the quantity above advertised for sale, the following quantities, more or less, of Behar and Benares Opium of 1858-59, will be brought to sale in the present year, on or about the dates specified below.

5. The Board however reserve to themselves the right of altering this date, should circumstances render it expedient to do so :—

	Behar about Chests	Benares about Chests	Total about Chests
On or about Wednesday, 5th Dec 1860 -	1275	508	1783

By Order of the Board of Revenue,

ASHLEY EDIN,  
*Offg. Junior Secretary.*  
FORT WILLIAM,  
The 1st October 1860. }

No. 1186.

NOTICE is hereby given, that 4,00,000 Maunds of Chilka Kurkuteh Salt, deliverable from Ghât Meetakooah in the Pooree Agency, is available for sale.

The Officiating Junior Secretary to the Board of Revenue is prepared to receive Tenders for the purchase of the above Salt, for which payment must be made, in the usual manner, into the General Treasury after acceptance of Tenders, at the rate of 830 Rupees per 100 Maunds.

By Order of the Board of Revenue,

A. EDEN,  
*Offg. Junior Secretary.*  
The 17th October 1860.

**Notification.**

OFFICERS in charge of Treasuries are requested to observe that, under instructions from the Government of India, Items of Receipt and charge on account of the Income Tax are to be entered under a separate heading "Income Tax," instead of "Government of India" as before prescribed; and that the Tax is to be calculated according to the Table published in the *Calcutta Gazette* of the 13th instant, page 2172, which is to supersede that contained in this Office Circular No. 1058, dated 21st September 1860.

W. WATERFIELD,

*Offg. Acctt. to the Govt. of Bengal.*

FORT WILLIAM;  
*Office of Acctt., Govt. of Bengal,* }  
The 18th October 1860.

**Notice.**

HINDOO HOLIDAYS IN OCTOBER 1860.

THE General Treasury will be closed from Friday the 19th to Tuesday the 30th October 1860, both days inclusive, on account of the Hindoo Holidays, Doorga and Luckhee Poojahs. All Acceptances which may fall due between Friday the 19th, and Tuesday the 30th October 1860, both inclusive, will be payable at the General Treasury on any business day after Monday the 15th October 1860.

J. I. HARVEY,  
*Sub-Treasurer.*

GENERAL TREASURY, }  
The 21st Sept. 1860.

**Notice.**

HINDOO HOLIDAYS IN NOVEMBER 1860.

1. THE General Treasury will be closed on Monday the 12th, Tuesday the 13th, Wednesday the 14th, and Thursday the 15th November 1860, on account of the Hindoo Holidays, Kalee Poojah, Bhatesdoteah, and Kartie Poojah.

2. The General Treasury will be closed on Wednesday the 21st, and Thursday the 22nd November 1860, on account of the Hindoo Holidays, Juggodhattree Poojah.

J. I. HARVEY,  
*Sub-Treasurer.*

GENERAL TREASURY, }  
The 16th October 1860.

**Notice.**

It is hereby notified for general information, that Government has appointed the under-mentioned Treasuries, for the receipt of all Duties payable under Act XXXII. of 1860, within the jurisdiction of the Commissioners of Income Tax, for the Town and the Suburbs of Calcutta :—

1. Treasury of the Collector of Income Tax, No. 2, Church Lane.

2. Treasury of the Collector of the 24-Per-gunnahs.

A. GHOFF,  
*President.*

INCOME TAX OFFICE, }  
The 6th October 1860.

**Notification.**

*Present Clause.*  
XXXIX. Messages are sent "bearing" from Sea-ports when received by Mail Steamers or other Vessels for despatch and addressed to well-known houses or individuals, but the Messages are not to be delivered to the Addressee till payment is made.

*Modified Clause.*  
XXXIX. Messages are sent bearing when received by Mail Steamers or other Vessels for despatch and addressed to well-known firms or individuals, but no Message, whether paid or bearing, will be received for transmission from any Vessel until her name has been made known

Bearing Messages will not be delivered to the Addressee till payment has been obtained

*Present Clause.*

XLII. Violation of Secrecy on the part of any Office Assistant, Clerk or Signaller, in the Telegraph Department, will be punished by dismissal from office, forfeiture of arrears of pay, and a declaration in the Official Gazette of the incapability of the delinquent to serve in any Official capacity

*Modified Clause.*

XLII Violation of Secrecy on the part of any person in the Department will be punished by dismissal from office, forfeiture of arrears of pay, and a declaration in the Official Gazette of the incapability of the delinquent to serve the Government in any capacity

It is a violation of Secrecy to mention the fact that any Message has been received or despatched by any particular person or firm

J C DOUGLAS, Major,  
Offg. Dir-Gent of Tls in India

**Notice.**

It is hereby notified for general information, that the Assessors of Income Tax for the Town and Suburbs of Calcutta have the following Divisions or Districts assigned to them —

BABOO CHANDER MOHUN CHATTERJEE — First Division, from the North boundary of the Town to Neemtollah Street

KOOMAR HARI MOHRA KRISHNA — Second Division, from Neemtollah to Colootollah Street

MR T. P. OCKINGTON — Third Division, from Colootollah to Dhurruntollah Street.

MR J. MACKAY — Fourth Division, South of Dhurruntollah Street.

BABOO OMHOY CHURN MULLICK — North Suburbs

MR W. HEYSHAM — South Suburbs.

MR R ■ BAKER — Howrah.

All Returns should be directed or delivered to the Assessor of the Division in which the party resides. Their Office is that of the Commission, No 9-1, Hastings' Street.

A. GROTE,  
President.

The 12th October 1860.

**Income Tax Returns to Special Commissioner.**

ALL Returns intended for the Special Commissioner should be forwarded under Seal to the Assessor of the Division or District, with a request in writing that the same may be transmitted to the Special Commissioner.

The 12th October 1860.

**Notice**

Is hereby given, that the Titalyah Annual Fair will commence on the 20th February 1861.

A. G. MACDONALD,  
Magistrate

**Nudda Rivors.**

BI-WEEKLY Water Report, showing the least Depth of Water in the Bhaguruttie River, from 17th to 20th October 1860

NAME OF PLACES, &c	Least Depth of Water	Remarks
Above its Entrance in Ganges	Pt In. 18 0	
On the Entrance Bar	8 6	As boats sustain the dry season's Navigation in the Nudda Rivors but better take the Bhaguruttie Route
From thence to Jungypore, 13½ Miles	5 0	
From Jungypore to Berhampore, 46 Miles	10 0	
From Berhampore to Cutwa, 50 Miles	11 6	Least depth in } ft in Jellinghee River } 4 0
And from Cutwa to Nudda, 46 Miles	14 0	Least depth in } ft in Watabangab River } 10 0

Height of water on Gauge at Berhampore on the 19th October 1860, plus 12 feet 9 inches.

T. N. ANANDARAO, C. E.,  
Asstt. Nudda Rivors.

The 20th October 1860.

# ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zemindary Right of Government to the several Khas Mehals situated in the District of Balasore, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board dated 18th September 1860, in the Balasore Collectorate, on Thursday, the 8th November 1860, corresponding with the 25th Kartick 1268 Baisak, at 12 A. M. The purchaser of such Mehals will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

- 1st.—Estates to be sold, with the Sudder Jummah entered against each, below, to the highest bidders above the upset price.
- 2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have received Pottahs from the Settlement Officers.
- 3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.
- 4th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.
- 5th.—The Right of Government to all Minerals to be reserved:—

Number	Towjee Number.	Names of Mehals and Pergunnahs.	Area.			Sudder Jumma.
			B.	G.	R.	RS. AS. P.
4	1026	Putna Mistarkoochun, Pergunnah Dismallung	13	13	4	8 1 7
5	1027	Mouza Mudhoosoodumpore, Pergunnah Noonk-bund	19	12	1	5 12 10

The term of lease of these Mehals will expire in 1860-67 = 1274 Baisak.

A. ELLIOT RUSSELL,  
Collector.

BALASORE,  
The 29th September 1860. }

# ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zemindary Right of Government to a Khas Mehul, situated in the District of Pooree, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board of Revenue, No. 129, dated 18th September 1860, in the Pooree Collectorate, on Thursday, the 8th November 1860, corresponding with the 25th Kartick 1268 Baisak.

The purchaser of such Mehul will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

- 1st.—Estate to be sold to the highest bidder above the upset price.
- 2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchaser to be bound to respect the rights of resident cultivators who have received Pottahs from the Settling Officer.
- 3rd.—The present settlement of the Estate are liable to revision upon the expiry of the present lease.
- 4th.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.
- 5th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount

of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one

6th.—The Right of Government to all Minerals to be reserved.

Number.	Towjee Number	Names of Mehals and Pergunnahs.	Area.	Differenced as Sudder Jumma.	Upset Price.	REMARKS
1	56	Auzee Lukheraj. Bozeafter Mouza. Poorsottu opoor. Pergunnah Kotdes, &c.	M. G. B 35 11 2½	21 5 9	250 0 0	

F. H. PHELPS,  
Offg. Collector.

Sub Division of Zillah Cuttack ;  
 }  
 Pooree Collector's Office,  
 The 1st October 1860.

## ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zamindary Right of Government to the several Khas Mehals situated in the District of Tirhoot, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of Government, in the Tirhoot Collectorate, on Friday, the 16th November 1860, corresponding with the 15th Kartick 1268 F. S. The purchaser of such Mehals will be subject to the Conditions laid down below :—

### CONDITIONS OF SALE

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one

5th.—The Right of Government to all Minerals to be reserved :—

Towjee Number.	Names of Mehals and Pergunnahs	Area.			Sudder Jumma		
		B.	C.	D.	B.	A.	P.
1800	Kleman, Pergunnah Loowan	367	17	7	150	0	0
2128	Purce, Pergunnah Oghara	126	10	15	60	0	0
2026	Asawan, Pergunnah Sarissa	106	13	4	205	13	2
4937	Khowna, Pergunnah Bhola	881	0	0	1,350	0	0
5017	Rabin, Pergunnah Barad	7	12	12	4	0	0
5300	Rowna Bulthee, Pergunnah Gurchawand	1,039	10	12½	1,405	0	0

T. BRUCE LANE,  
Offg. Collector.

TIRHOOT;  
Collector's Office,  
The 6th October 1860. }



# ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zemindary Right of Government to the under-mentioned Khas and Nonhad Mehul, situated in the District of Chittagong; and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board of Revenue, dated 11th September 1860, No. 1177, in the Chittagong Collectorate on the 16th November 1860, corresponding with the Bengalee, dated 2nd Aghrian 1267 B. S. The purchaser of such Mehul will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

- 1st.—That it to be sold, with the Sudder Jumma entered against it below, to the highest bidder above the upset price
- 2nd.—The Sale to be subject to existing Jowar, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.
- 3rd.—A deposit of Rupees 25 per Cent upon the amount bid will at once be made, the same to be retained to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.
- 4th.—The Right of Government to all Minerals to be reserved —

Order Number.	Names of Mehals and Pergunnahs	Area.	Sudder Jumma	Upset Price	Remarks
1	THANATH BRATHIAHAI Mohad SHEETPORA, &c				
61	Izrah Golab Bhee &c	D K G C 151 11 5 2	Rs As P. 758 7 6	Rs As P. 918 1 1	

T. D. WARD,

Offg. Collector

CHITTAGONG COLLECTORATE, }  
The 5th October 1860.

## Notice

Is hereby given, that the Cachar Mela, or Annual Fair, will be held at Sikkhar, in Cachar, on the 30th and 31st December 1860, and the 1st, 2nd, and 3rd of January 1861.

Prizes will be given for the best specimens of Cattle, Raw Products, and Manufactures brought for Sale, a competent Committee being selected to determine the above.

Shops will be erected as heretofore for the convenience of Traders who may feel disposed to attend

Races, Games, &c., open to all, will be held as usual, and a display of Fire-works take place.

N. B.—The last Mela was attended by a great concourse of people, and the results were so gratifying, as to encourage its continuance annually.

Many Buffaloes, Cows, Ponies, and Goats of all sorts and kinds were brought for sale, and readily disposed of.

J. I. SHERA,  
Offg. Superintendent

ZIVAR CACHAR,  
Superintendent's Office,  
The 16th July 1860

## Cochin Light.

Information is hereby given that the Light at Cochin, instead of being raised to a height of 114 feet as usual, on and after the 15th September, will continue to be displayed at the lower elevation of sixty-seven feet until further notice. It may not therefore be visible beyond eight or nine miles.

2 The Flag Staff being under repair, a smaller temporary Mast for signalling will be put up, which will not be seen at any great distance

JOHN J. FRANKLIN,  
Suplt. of Marine.

MADRAS;  
Marine Suplt.'s Office,  
The 3rd September 1860.

## ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zemindary Right of Government to the several Khas Mehals, situated in the District of Monghyr, and mentioned in the Statement herewith annexed, will be put up to Sale, under Orders of the Board of Revenue, No. 120, dated 4th September 1860, addressed to the Commissioner of Revenue of the Bhagulpoore Division, in the Monghyr Collectorate, on the 30th November 1860, corresponding with the Fasal date 2nd Aghun 1268. The purchaser of such Mehal will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jumma-bunder made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed 100 Rupees, the whole amount to be paid at once.

4th.—When the amount of purchase money exceeds 100 Rupees, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the fifteenth day after the Sale, reckoning the day of Sale as one.

5th.—The Right of Government to all Minerals to be reserved.

W. H. HENDERSON,

Collector.

MONGHYR COLLECTORATE, }  
The 10th October 1860. }

Number.	Towhee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	REMARKS.
3RD CLASS.						
1	2291	Arazie Muskun Ramnewaz, Zemadar, in Thannah Burhyah, Pergunnah Salemabad	0 15 0 0	2 0 0	2 0 0	
2	2531	Arazie Ammanut Sircar, in Thannah Rajpawfee, Pergunnah Furkeeah	158 18 17 0	95 2 3	111 14 10	
3	2578	Beekalpoor, Pergunnah Monghyr	0 16 0 0	3 4 0	3 4 0	
4	2621	Gadline, Thannah Rautun, Pergunnah Furkeeah	58 13 8 0	16 9 1	20 7 3	
5	2622	Arazie Ammanut Sircar, Thannah Rautun, Pergunnah Furkeeah	135 6 6 0	42 3 6	55 3 0	
6	2611	Arazie Ammanut Sircar, in Thannah Jafrah, Pergunnah Furkeeah	111 4 0 0	65 4 0	76 0 1	
7	2612	Invalid Jagheer of Sheer Khan, Havildar, in Thannah Jaffragunge, Pergunnah Monghyr	33 10 0 0	22 0 0	25 8 0	
8	2611	Arazie Ammanut Sircar, in Thannah Purbotta, Pergunnah Furkeeah	14 1 14 0	8 4 0	9 8 0	
9	2615	Invalid Jagheer of Shewdial Sing, Naick, in Mubeshletta, Thannah Rampoor, Pergunnah Salemabad	50 9 13 0	25 2 1	31 0 4	
10	2692	Arazie Ammanut Sircar, in Thannah Rajunpoor, Pergunnah Kubkhund	138 19 19 10	96 12 10	104 13 9	
11	2700	Invalid Jagheer of Bhuwanny Sing, Naick, in Thannah Nurriar, Pergunnah Ooturkhund	25 9 14 0	16 0 0	18 0 0	
12	2701	Invalid Jagheer of Tikaram, Sepoy, in Thannah Suhursah, Pergunnah Ooturkhund	30 0 0 0	10 0 0	10 0 0	
13	2703	Arazie Ammanut Sircar, in Thannah Suhursah, Pergunnah Ooturkhund	3 11 0 0	2 10 0	2 10 0	
14	2713	Arazie Ammanut Sircar, in Thannah Dhurthurah, Pergunnah Monghyr	5 8 6 0	3 5 0	4 5 8	
15	2715	Arazie Ammanut Sircar, in Thannah Arramugur, Pergunnah Monghyr.	20 2 0 0	3 0 7	7 0 8 0	

Number.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	Remarks.
16	2763	Mannickpoor Sernjoodinpoor, Pergunnah Monghyr	38 14 0 0	31 11 6	39 2 7	
17	2767	Invalid Jagheer of Morakd Ally, Subadar, in Thannah Bindrabun, Pergunnah Monghyr	98 14 4 0	55 1 5	63 3 11	
18	2825	Invalid Jagheer of Durgahee Khan, Sepoy, in Thannah Soolundabad, Pergunnah Ooturkhund	49 1 7 0	22 4 0	29 1 3	
19	3034	Arazie Ammanut Sircar, in Manzah Soorjee Chuck, Thannah Rampoor, Pergunnah Salemabad	8 5 10 0	10 4 5	12 11 0	
20	3014 & 3045	Ammanut Sircar, in Thannah Soolundabad, Pergunnah Ooturkhund	42 14 16 0	32 5 5	42 1 4	
21	3016	Arazie Ammanut Sircar, in Thannah Nurjar, Pergunnah Ooturkhund	1089 7 16 0	350 9 0	375 8 10	
22	3069	Line Thannah Rantun, Pergunnah Furkeeah	11 3 13 0	4 9 0	5 10 1	
23	3070	Arazie Girdline, Thannah Jaffrah, Pergunnah Furkeeah	26 2 7 0	12 11 7 1/2	15 11 10	
24	3071	Arazie Ammanut Sircar, in Behruli, Thannah Bindrabun, Pergunnah Monghyr	123 13 13 10	23 13 9	31 3 2	
25	3080	Arazie Ammanut Sircar, in Moorah Singha, Thannah Dhurkural, Pergunnah Monghyr	12 10 10 0	13 2 3	16 3 6	
26	3082	Arazie Girdline, in Thannah Jaffrah-gange, Pergunnah Monghyr	9 11 7 0	12 0 0	13 0 5 1/2	
27	3085	Arazie Girdline, in Thannah Parbutah, Pergunnah Furkeeah	74 1 6 0	12 0 0	12 0 0	
28	3162	Invalid Jagheer of Nezun Bheesty, in Thannah Bindrabun, Pergunnah Monghyr	19 8 6 2	8 1 11	10 13 8	
29	3252	Ammanut Sircar, in Thannah Ranjupoor, Pergunnah Kubli and	1 2 11 0	1 5 2	1 9 6	
30	3254	Ditto Ditto	85 3 16 0	19 5 9	23 11 5	
31	3256	Ditto Ditto	10 0 8 0	5 0 0	8 0 0	
32	3314	Invalid Jagheer of Alluf Khan, Subadar, in Thannah Bindrabun, Pergunnah Monghyr	193 19 0 0	59 2 5	77 5 4	

W. H. HAMPTON,  
Collector.

Sheriff's Office, the 13th October 1860.

Notice is hereby given, that a Sessions of Open and Terminus and Gaol Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House in the Town of Calcutta, on Tuesday, the Fourth day of December next, at 12 o'clock at noon.

The Court will open on the first day of the Sessions at 12 o'clock at noon, and upon each succeeding day precisely at 11 o'clock in the forenoon, of which all persons are required to take notice.

C. H. BROWN,  
Sheriff.

নব্বিক আকিন ১৩ অক্টোবর ১৮৬০ সাল।

নব্বাচার বেওয়া বাইতেছে যে আগামি  
৪ ডিসেম্বর সন্ধ্যা ১৮৬০ সাল মঙ্গলবার

দুই প্রহরের সময় কলিকাতার কোর্ট উইলি-  
এমের এবং তাহার অন্তঃপাতি যে সকল  
স্থান ভিন্নিত্ত বঙ্গ দেশের কোর্ট উইলি-  
এমের গুপ্তেম কোর্ট আপল আদালত যবে  
ওয়ারেটরমিনর এবং এডমাইরেলটি অর্থাৎ  
মহা সমুদ্র সম্পকীয় মোকদ্দমা নিষ্পত্তি  
জন্য এক সেশিয়ান অর্থাৎ মিছিল করি-  
বেন।

এই সেশিয়ান জতকাল পর্যন্ত বসিবেক  
তাহার প্রথম দিবস দুই প্রহরের সময় তা-  
হার পূর্ণ প্রতি দিবস এগারো ঘণ্টার সময়  
বসিবেক এ বিষয় সকলে অবগত রাখুন।

C. H. BROWN,  
Sheriff.

*Court for the Relief of Insolvent Debtors at Calcutta.*

In the matter of Alex- } On Tuesday, the 9th  
ander. McGilvray, an } day of October instant,  
Insolvent. } it was ordered that Sa-  
turday, the 5th day of January next, be appointed  
for the further hearing of this matter, and that  
unless cause be shown to the contrary on that day,  
the said Insolvent be discharged personally, as well  
as to his after-acquired property, from all liability  
for debts, claims and demands of and against the  
said Insolvent at the time of the filing of his  
petition for relief.

Robertson and Hickle, Attorneys.

Chief Clerk's Office, the 10th October 1860.

IN THE PRESS

And will be ready in a few days,

THE POPULAR EDITION

or

THE NEW INDIAN PENAL CODE,

WITH ABSTRACT AND INDEXES

By W. THEOBALD, Esquire,

Barrister, Clerk of the Crown, &c., Supreme Court, Calcutta.

In royal 8vo. uniform with Theobald's Acts.  
Price stitched Rs. 3. Cloth Rs. 3-5 Cash. By  
Post four annas additional.

THACKER, SPINK AND CO.

**Lost,**

A Five and-a-Half per Cent. Loan Acknowledg-  
ment (in original) for the sum of (Rupees 3,000)  
Rupees three thousand, granted on the 17th May  
1859, in favor of Mr. William Waterfield, by the  
Collector of this District.

H. BALFOUR,

Off. Collector.

DISAPPORT ; }  
Collector's Office, }  
The 15th October 1860. }

*It is hereby Notified that unless marked for particular Ships, all Letters received at the General Post Office  
between Monday the 15th October 1860 and Sunday the 21st October 1860, both dates inclusive,  
were despatched by the above-mentioned Vessels, which sailed from Calcutta on dates specified.*

Letters received on dates from and to	By what Ship dispatched	Bound to	REMARKS.
15th to 16th October 1860.	Steamer <i>Burmah</i> ..	Akyab, Rangoon and Moulmein ..	Left Town on the 17th October 1860.
15th to 19th " " "	" <i>Fiery Cross</i> ..	Penang, Singapore and Chioa ..	Left Town on the 20th October 1860.
15th to 16th " " "	Ship <i>Pudsey Dawson</i> ..	Mauritius ..	Left Town on the 17th October 1860.

The 23rd October 1860.

Printed and Published for the Government by THOMAS JONES, at the Office of the Bengal Secretariat, Calcutta.

COPIES OF THE

**Report of the Indigo Commission.**

TOGETHER WITH

**The whole of the Evidence**

TAKEN BEFORE THE COMMISSION,

AND THE

APPENDICES, Nos. I., II., AND III.,

Can be had on application to the PRINTER of the  
*Calcutta Gazette*, Bengal Office, at 8 Rupees per  
copy.

**Found,**

A GOLD Watch and Chain. The Owner may  
have them by sending to the Officiating Joint  
Magistrate of Nuddea a full description of them,  
with the particulars of their loss, and paying all  
expenses of carriage and advertisement.

D. J. MACNEILL,

Offg. Joint Magistrate.

**NOTICES issued by the  
POST-MASTER of CALCUTTA.**

No. 1832.

The 22nd October 1860.—MAIL PACKETS for the  
Overland Mail, which leaves Bombay on the 11th  
proximo, will be closed at this Office at 5 P. M. on  
Friday, the 2nd idem, *via* Marseilles only.

Letters and papers, for transmission *via* Bombay,  
will be received up to 6 P. M. on every day prior  
to the 2nd, and Inland Postage to Bombay  
must be prepaid in Stamps on Letters sent by this  
opportunity to places in Egypt and to Countries  
in Foreign Europe *via* Trieste:—

*Rules of Postage.*

Under 1	Ounce	Rs.	0	6	0
" 1/2	"	"	0	8	0
" 3/4	"	"	0	14	0
" 1	"	"	1	1	0



## SUPPLEMENT TO The Calcutta Gazette.

WEDNESDAY, OCTOBER 24, 1860.

### OFFICIAL PAPERS.

*A SUPPLEMENT to the GAZETTE will henceforward be published, weekly or twice a week, according to circumstances, containing such Official Papers and Information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.*

*Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately, on a payment of six Rupees per annum if delivered in Calcutta, or twelve Rupees if sent by post.*

*No Official Orders or Notifications the publication of which in the GAZETTE is required by law, or which it has been customary to publish in the GAZETTE, will be included in the SUPPLEMENT. For such Orders and Notifications, the Index of the GAZETTE must be looked to, as heretofore.*

#### Volunteer Rifle Corps.

From H. BELL, Esq., Under-Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department,—(dated the 12th October 1860.)

SIR,—I AM directed to acknowledge the receipt of your letter No. 1847, dated the 28th ultimo, with its accompaniments, relative to the formation of a Volunteer Rifle Corps under the Command of Captain G. B. Malleon, and to request that the Lieutenant-Governor may be favored with the views of His Excellency the Governor General in Council as to whether each Company or body of Volunteers is to be considered a distinct Corps by itself, with a distinct name, or whether it is intended that there should be two, three, or four Companies all belonging to and included in one and the same Corps.

2. In the event of each Company that may be formed in future being a distinct Corps, the Lieutenant-Governor is not sure that the name chosen by Captain Malleon's Company, viz., "The Calcutta Rifle Corps" would be correct.

From W. GARY, Esq., Secretary to the Government of India, in the Home Department, to W. S. SEXTON-KANE, Esq., Officiating Secretary to the Government of Bengal,—(dated the 20th October 1860.)

SIR,—In reply to your letter No. 5415, dated the 12th instant, I am directed to state that the Governor General in Council thinks it very objectionable that each Company or body of Volunteers raised in Calcutta should be regarded as a separate Corps. Until the number of Volunteers in one place is so large as to exceed the proper and convenient number for a Volunteer Regiment, which may be reckoned at 500 men at least, His Excellency in Council is of opinion that two Corps in the same place should not be recognised, whether in Calcutta, or elsewhere. In this view, the name

chosen for the Corps, of which Captain Malleon has been elected the Commandant, appears to the Governor General in Council to be appropriate, and he trusts that no difficulty will present itself to the enrolment of all who desire to become Volunteers in the 'Calcutta Rifle Corps', the formation of which His Excellency in Council presumes has already received the sanction of the Lieutenant-Governor.

#### Failure of Rain in the Upper Provinces.

From G. COMPTON, Esq., Secretary to the Government of the North-Western Provinces, to W. GARY, Esq., Secretary to the Government of India, in the Home Department, Fort William,—(dated Nynce Tal, the 11th October 1860.)

SIR,—I AM desired to acknowledge your letter No. 2125, dated 28th ultimo, and in reply to state for the information of His Excellency the Viceroy in Council that no application has, up to the present time, been received from any Commissioner for permission to act upon the authority provisionally conveyed in the Lieutenant-Governor's Memorandum, dated 16th July last, of which a copy was transmitted to you with my letter No. 841A., dated 18th July last.

2. The Lieutenant-Governor does not expect that measures for the relief of the people will be generally called for. But he regrets to add that accounts received within the last few days from the Meerut Division are very unsatisfactory, and that in the Agra Division there is reason to believe, the state of things is equally unfavorable.

3. It is known that the rain which has recently fallen in parts of Rohilcund and the Allahabad Divisions has not extended to any of the Districts of the Meerut Division, and the same is believed



to be the case in regard to those of Agra. As to the latter, enquiry has been made.

4. Owing to the want of rain at this season, and the consequent hardness of the surface, the ploughing and sowing for the Rubbee Crop must be very materially restricted, and little or no fall in the prices of food can be looked for.

5. The Lieutenant-Governor therefore apprehends that in such localities the distress among the people will increase with the progress of the season, and though the Canals and the Works of the Department of Public Works and the Local Committees will provide labor for many, the Lieutenant-Governor apprehends that special measures of relief will be unavoidable.

6. As soon as any such measures may be specifically authorized, a Report will be submitted to you for the information of His Excellency the Governor General in Council as required by your letter under reply.

## GOVERNMENT OF BENGAL.

### Correspondence connected with a charge against a Police Darogah of inciting Ryots not to sow Indigo.

From E. H. LUSHINGTON, Esq., Officiating Commissioner of the Nudda Division, to the Secretary to the Government of Bengal,—(dated the 3rd May 1860.)

SIR,—I HAVE the honor to submit, for the orders of the Lieutenant-Governor, the accompanying copy of letter No. 122, dated 1st May, from the Magistrate of Nudda, with enclosure, to my address.

2. The circumstances of the case appear to be as follows :

3. Mr. Bainbridge, the Magistrate of Pubna, went to Pasuttee to enquire into "the combination" among the Ryots of the Bamundee and other Factories against Indigo. Mr. Bainbridge there learnt from a Deputy Magistrate who had been some days on the spot, that the Kurreepore Darogah, a Police Officer, subordinate to this Division, was at the bottom of the whole matter, he therefore had the Darogah arrested, though he was then out of the limits of the Pubna jurisdiction and within the limits of his own Thannah of Kurreepore, and forwarded him under charge of two Sepoys to the Deputy Magistrate of that Sub-Division, who was in Camp some miles distant.

4. I have nothing before me which would afford any information on or explanation of the very unusual proceedings of the Magistrate of Pubna in this matter ; but I beg to mention that the Darogah was only transferred to the Kurreepore Thannah in March last, and must therefore have found very few opportunities even if he had been so inclined of making such misrepresentations of the nature alleged by Mr. Bainbridge.

From W. J. HERSCHEL, Esq., Officiating Magistrate of Nudda, to the Commissioner of the Nudda Division,—(dated the 1st May 1860.)

SIR,—I HAVE the honor to forward herewith a copy of a letter from Mr. Platts, the Deputy Magistrate of

Kurreepore, reporting that the Magistrate of Pubna has arrested the Darogah of Kurreepore Thannah, within the limits of his own Thannah, on the charge alleged in the enclosed copy of his letter.

2. I request that the Magistrate of Pubna may be called on to explain the grounds of his exceeding the limits of his own jurisdiction.

3. The Deputy Magistrate informs me that he had already sent out orders for the suspension of the Darogah, who is now under trial at Kurreepore.

From F. T. PLATTS, Esq., Deputy Magistrate of Kurreepore, to the Magistrate of Nudda,—(dated the 27th April 1860.)

SIR,—I HAVE the honor to bring to your notice that the Darogah of Thannah Kurreepore, Mo-loosoodun Sikdar, was arrested by the Officiating Magistrate of Pubna, within the limits of my jurisdiction, and forwarded to me yesterday under a guard of Sepoys with the accompanying letter, which I send in original.

From A. T. BAINBRIDGE, Esq., Officiating Magistrate of Pubna, to the Deputy Magistrate in charge of Kurreepore.

SIR,—I HAVE today arrived at Pasuttee, in the Bamundee Concern, to enquire into the combination among the Ryots of this and other Factories against Indigo; disaffection has shown itself stronger here than in other parts of the Pubna District.

A Deputy Magistrate, Wasifoodeen Khan, has been some days on the spot, engaged with cases under the new Act and in explaining the intentions of Government to the Ryots. I learn from him that after mature consideration, he has no doubt whatever that the Kurreepore Darogah is at the bottom of the whole matter, and that his misrepresentations are greatly the cause of the combination. I have therefore arrested him and send him in herewith to you under a guard of two Sepoys, I would suggest your investigating the matter yourself.

Wasifoodeen Khan, after concluding the cases he has in hand, will investigate his proceedings in the District; he has constantly crossed the boundary, he says he has little doubt it will be proved, and that there is no chance of a settlement until this Darogah is removed from the neighbourhood.

From A. R. YOUNG, Esq., Secretary to the Government of Bengal, to the Officiating Commissioner of the Rajshyee Division,—(dated the 5th May 1860.)

SIR,—I AM directed to forward you the accompanying copy of a letter\* from the Officiating Commissioner of Nudda, and of its enclosures,

and to request that you will be so good as to call on Mr. Bainbridge, the Officiating Magistrate of Pubna, to explain why he arrested the Darogah of the Kurreepore Thannah beyond the limits of the Pubna jurisdiction.

2. The Lieutenant-Governor does not doubt that Mr. Bainbridge acted in the matter as he thought best for the Public Service under existing exigencies; and that the Darogah, if guilty of inducing Ryots who have taken advances not to fulfil their Contracts, deserves heavy punishment, but an explanation is due to the Officers with whose jurisdiction Mr. Bainbridge's act interfered.

3. Mr. Bainbridge should also be directed to explain the grounds on which in his letter to the Deputy Magistrate of Kurreepore, he uses the expression "disaffection has shown itself." It is of course wrong to break a Civil Contract wilfully, and more wrong to combine with a number of

others to do the same, but no amount of such misconduct in private transactions can, in any sense, be called "disaffection." If the Officiating Magistrate had grounds for making so very grave a report, he should have set forth his grounds for the information of Government fully; either in a confidential or public communication.

4. If he used the expression loosely and improperly, he should be warned against the dangerous confusion of ideas, which could alone have made such a mistake of expression possible.

1

From H. M. REID, Esq., Commissioner of the Rajshahye Division, to the Secretary to the Government of Bengal, —(dated the 22nd May 1860.)

SIR,—I HAVE the honor to acknowledge the receipt of your letter No. 2226, dated the 5th instant with its enclosures, and with reference thereto I beg to submit for the information of the Lieutenant-Governor copy of a letter from the Officiating Magistrate of Pubna, No. 269, dated the 15th instant, furnishing the explanation called for from him on the two points adverted to in your communication under reply.

2. It appears from the Vernacular Record of the case that, on the 22nd April, a Petition was presented to Deputy Magistrate Wasifooddeen by one Ramjoy Biswas, a Gomastah of Parsuttee Factory in Pubna, stating that the Ryots of the Factory, and of the Ghazceppore Factory, were prevented from coming to an amicable settlement of their disputes with the Indigo Planter, owing to the interference of Mudoosomdun Sikdar, the Darogah of Thannah Kurreeempore, who had located himself at the Village of Jeladingee in Nuddea, at a distance of about one mile from the spot (Aria) where the Deputy Magistrate was at the time encamped.

3. The Deputy Magistrate finding the averments of the Petition to be borne out by other circumstances which had previously come to his notice, at once (on the 22nd April) dispatched the original Petition to the Deputy Magistrate of Kurreeempore, with a request that appropriate enquiry might be made regarding the Darogah's conduct, and that orders might be passed thereon, and that the Darogah might, at any rate, be temporarily removed to some other locality. This appears to have been the state of affairs when Mr. Bainbridge reached the Deputy Magistrate's Camp on the 24th April, and finding them to be so, and that there was a strong combination amongst the Ryots to refuse to sow, and as no intimation had been received up to that time from the Deputy Magistrate of Kurreeempore in reply to Moulavy Wasifooddeen's communication, he thought it for the best at once to arrest the Darogah (although the latter was at the time out of his jurisdiction) and to send him in custody to the Deputy Magistrate of Kurreeempore.

4. In doing so, there can be no doubt that Mr. Bainbridge exceeded his authority. He himself admits that he did so, but he pleads the urgency of the case, and that he had every reason to suppose that the charges laid against the Darogah were true ones. Under the circumstances detailed, I trust that due allowance may be made for Mr. Bainbridge having exceeded his authority on the occasion referred to, and that the prompt and energetic manner in which he acted may be attributed

to the desire he must naturally have felt to allay the excited feelings of the Ryots, and to prevent recourse being had to violence.

5. Before leaving this part of the subject, I would observe that it appears from Mr. Herschel's letter that the Deputy Magistrate of Kurreeempore had already sent out orders for the suspension of the Darogah. No date is given as to when he sent them out, but I understand from Mr. Herschel's 3rd paragraph that they were issued prior to the Darogah being brought in arrest to the Deputy Magistrate, but at any rate I think the Deputy Magistrate of Kurreeempore should have sent some intimation of what he was doing, or intended to do in the matter, to his brother Deputy Magistrate at Aria, but there is nothing in the correspondence to show that he did so.

6. On the second point, *viz.*, the use of the word "disaffection," I am of opinion that the explanation is quite satisfactory. Mr. Bainbridge explains that in using the above word, he never intended to infer that disaffection of the kind generally implied by that word, that is to say, that any disloyalty or hostility to the Government had been shown on the part of the Ryots, but that they had exhibited "a dislike to" sow Indigo. The context, I think, shows that it was Mr. Bainbridge's intention to use the word only in the latter sense. Had Mr. Bainbridge been writing in a less hurried manner, and under less untoward circumstances than those explained by him, he would no doubt have chosen some other word in preference to disaffection, though I would venture with deference to remark that some Lexicographers allow it to be used in the sense in which Mr. Bainbridge meant it.

From A. J. BAINBRIDGE, Esq., Officiating Magistrate of Pubna, to H. M. REID, Esq., Commissioner of the Rajshahye Division, —(dated the 15th May 1860.)

SIR,—I HAVE the honor to acknowledge the receipt of your letter No. 714, with enclosures, and to furnish my explanation on the points alluded to as under.

2. I arrived at Aria where Wasifooddeen Khan, Deputy Magistrate, was holding Court on the 24th of April.

3. I found him in the act of sending the enclosed Roohookaree to me by Express.

4. The Deputy Magistrate represented that the Kurreeempore Darogah was and had been for about a month previous to his (the Deputy Magistrate's) arrival at Jeladingee, a Village of Nuddea about a mile from Aria.

5. That shortly after arriving he had suspected the Darogah; that his suspicions had been confirmed up to date by general report, by complaint, and his own observation.

6. That the Ryots of Jeladingee, the leading Village in the Jote, and of all the other Villages belonging to Parsuttee and Ghazceppore Factories, against whom cases were pending before him, after hearing his orders and advice immediately repaired to Jeladingee returning with new and significant objections and excuses, that it was generally reported and also from trustworthy sources that the Darogah gave out that he was in communication with a brother, a Deputy Magistrate in Calcutta, well acquainted with the law, and the real wishes of Government, and that if the Ryots paid for and strictly followed his (the Darogah's) advice, they need sow no more Indigo.

7. A bargain had been made for 800 Rupees, of which Rupees 125 had been paid.

8. In short the Deputy Magistrate expressed his conviction that the Darogah had been and was misinterpreting the law and intentions of Government, and inducing the Ryots to break their Contracts, that the impunity he enjoyed had been productive of great mischief, and that, without the Darogah's removal, any settlement by conciliation and reasoning on his part was hopeless. He added that he had already informed the Deputy Magistrate of Kurreepore of the state of affairs and requested the Darogah's removal, but without reply or result up to date, though he had taken measures to ensure the arrival of his request on the day sent (Mr. Kenny here rode in and confirmed his statement) the Deputy Magistrate's Roobookaree was read.

9. There were numbers of interested Ryots and Principals in the pending cases by watching the result. I enquired the standing and character of the Darogah, and was informed that he was a 3rd Grade Officer and a drunkard. To doubt an old and valuable Officer like Wasifooddeen Khan, who had had ample time to judge, was unworthy. The combination in the neighbourhood was resolute and obstinate, and Government had been authoritatively and grossly misrepresented. (I had just arrived on the spot to do nothing, or no more than my Subordinate had already done) would have had an injurious effect. I considered that in the exigency much depended upon immediate and decisive action, and I determined to remove the Darogah.

10. The Naib Darogah of my own Thannah was sent for and ordered to go to Jeladingee and call the Darogah, and if he would not come, to bring him.

11. In about half an hour the Darogah appeared with the Naib Darogah, and denied the whole affairs. I saw by his manner that he would not go immediately to Kurreepore without compulsion, and accordingly sent him in charge of two Sepoys, with the copy of Roobookaree enclosed, and the English letter, a copy of which has been sent me.

12. On the same day I wrote to Mr. Herschel semi-officially, reporting the arrest, informing him that I had acted on Wasifooddeen Khan, Deputy Magistrate's report, and I think requesting him to send the Kurreepore Officer out at once. I have no copy of this letter he replied that Mr. Platts was on the point of suspending the Darogah for his suspicious conduct.

13. All the papers connected with the affair in this Office are enclosed herewith, together with a copy of Wasifooddeen Khan, Deputy Magistrate's final report, of the result of his efforts, sent in on leaving Paranttee.

14. As to the second point, I had no grounds for using the word in the sense understood. Its presence in my letter surprised me. I regret the abuse of terms, nothing more than disaffection to Indigo was meant. I may urge that this letter was not intended by me to represent my act to Government.

15. It was written hurriedly on my knee, where I dismounted, with country pen and paper for the information of the Deputy Magistrate, whom I would have addressed by name had I known it.

16. I understood that he was only two hours' ride off, and confidently expected that, after hearing both from the Deputy Magistrate Wasifooddeen Khan and myself, and finding the Darogah arrested, he would come and investigate the matter and call upon me to state fully the reasons for my unusual proceeding. I heard nothing until Mr. Herschel wrote to me that I was reported to Government.

17. Doubtless pressing duties prevented Mr. Platts' coming, in which case I wish he had written.

18. I had no wish to be discourteous, and would never have interfered with his jurisdiction, had I not thought the service required it.

19. It did not follow that because my proceeding was irregular, it was necessarily wrong; it behoved the Kurreepore Deputy Magistrate to examine so grave and unusual a charge against his Officer at once, and give my Subordinates every opportunity of justifying himself and me; report might have followed on failure.

20. I trust any investigation that may now take place will include Mr. Tripp's, Mr. Kenny's, and Wasifooddeen Khan, Deputy Magistrate's depositions.

21. It is much to be regretted that none took place while the Deputy Magistrate was on the spot, ready and able to prove his allegation.

From A. R. YOUNG, Esq., Secretary to the Government of Bengal, to the Commissioner of the Rajshahye Division, —(dated the 28th May 1860.)

SIR,—I AM directed to acknowledge the receipt of your letter No. 838, dated the 22nd instant, with its enclosure, from the Officiating Magistrate of Pubna.

2. Under the circumstances explained, the Lieutenant-Governor entirely approves of the proceedings taken by Mr. Bainbridge against the Darogah of the Kurreepore Thannah.

3. As regards Mr. Bainbridge's explanation on the second point, viz., the use of the word "disaffection," the Lieutenant-Governor is very glad that there was no "disaffection" in the sense which the word bears in all Official correspondence. The Lieutenant-Governor has no doubt that you and Mr. Bainbridge will perceive, on consideration, that the objection to the use of such a word, on such an occasion, is very far from being a mere verbal criticism. It is impossible to keep too carefully in mind always the true relative positions of Government and of both parties in the unfortunate dispute now agitating the Indigo Districts.

From A. R. YOUNG, Esq., Secretary to the Government of Bengal, to the Officiating Commissioner of the Nudda Division, —(dated the 28th May 1860.)

SIR,—WITH reference to your letter No. 119Ct, dated the 3rd instant, I am directed to forward to you a copy of the papers noted in the margin, and to state that, under the circumstances therein explained, the Lieutenant-Governor entirely approves of the proceedings of Mr. Bainbridge against the Darogah of the Kurreepore Thannah.

From E. H. LUSHINGTON, Esq., Officiating Commissioner of the Nudda Division, to the Officiating Secretary to the Government of Bengal, —(dated the 11th October 1860.)

SIR,—WITH reference to the correspondence noted in the margin, regarding the misconduct of the Darogah of Kurreepore, I have the honor to report that after much delay the investigation into that Officer's proceedings has just been brought to a close.

2. The charges against the Darogah were inciting the Ryots of the Bamundee Concern not to

sow, and receiving a subscription from the Ryots to support them in their refusal to do so.

3. These accusations were brought forward in a Petition by one Ramjoy Biswas, one of the servants of the Bamundee Factory. When examined on oath, his positive assertion dwindled down to his having heard from two parties that this was the case. One of these parties, also a Factory servant, denies having said any thing of the kind; the other is not forthcoming. Twenty other witnesses, besides the Factory Gomashtha of the very village from which the Darogah is said to have received the bribes, were examined, and they all denied having even heard of the Darogah having advised the Ryots, or of a subscription having been raised for him.

4. Independently of this direct testimony in favor of the Darogah, his innocence appears to be greatly supported by the fact elicited in the enquiry that the Darogah had, up to the time the charge was brought against him, been both active

and successful in getting several villages to sow. This is acknowledged with regard to one village by the complainant Ramjoy Biswas, undoubtedly other villages in the Kurrseempore Sub-Division that had not sown previous to the Darogah's removal, sowed afterwards, but this cannot, I think, be admitted in the teeth of the facts I have above recorded as a proof of that Officer's dishonesty. If reasons must be given to account for this, may not the circumstances of the Darogah being carried off before the Ryots under a guard of Military Police have led them to think that their refusal was hopeless, and that unless they gave in they would be similarly degraded.

5. I have directed the Magistrate to restore the Darogah to his position, but at some other Thannah; and I beg to conclude this report by expressing my satisfaction that this charge of corruption, which is the only one that has been publicly brought forward against the Police in reference to the late Indigo sowings, has so completely broken down.



# APPENDIX TO The Calcutta Gazette.

WEDNESDAY, OCTOBER 24, 1860.

## LAND SALE NOTICES.

NOTICE is hereby given, under Section VI. Act XI. of 1859, that the under-mentioned Estate, in Zillah Tipperah, will be put up to public and unreserved Sale, at the Collector's Office of that District, on the 16th day of November 1860, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th day of September 1860 :—

### *Class I.—Permanently-settled Estate.*

No. 1369.—Pergunnah Shampore, Mahul Nowrah; recorded proprietor, Mr. G. H. Lamb; sudder jumma, rupees 806-11-9.

J. D. GORDON,  
Officiating Collector.

TIPPERAH;  
Collector's Office,  
The 2nd October 1860. }

NOTICE is hereby given, under Section VI. Act XI. of 1859, that the under-mentioned Estate, in Zillah Jessore, will be put up to public and unreserved Sale, at the Collector's Office of that District, on the 17th November 1860, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th September 1860 :—

### *Class I.—Permanently-settled Mahal.*

No. 326.—Kismut Donar and Ashan Nuggur, Pergunnah Emadpore; recorded proprietors, Harchunder Ghose, Brozonath Ghose, Chundernath Ghose and Bishoshoree Dasia; sudder jumma, rupees 536-15-4.

R. J. WIGRAM,  
Offg. Collector.

JESSORE COLLECTORATE,  
The 10th October 1860. }

NOTICE is hereby given, under Section VI. Act XI. of 1859, that the under-mentioned Estates, in Zillah Tirhoot, will be put up to public and unreserved Sale, for Arrears of Revenue, at the Collector's Office of that District, on Saturday, the 17th November 1860, or 19th Kartick 1268 F., for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th September 1860 :—

### *Class I.—Permanently-settled Estates.*

No. 38.—Mouzah Jownapore Khass, Pergunnah Balagatch; recorded proprietors, Wuzeer Lall, under guardianship of Jankee Coomar and others. The Right and Interest in the 11 annas' share of Wuzeer Lall only in this Mouzah is to be sold; sudder jumma, rupees 1,226-15-5.

No. 50.—Mouzahs Ramchunderpore, Mayda and Bhograjipore, Pergunnah Balagatch; recorded proprietors, Ragha Sing and others; sudder jumma, rupees 1,765-6-0.



No. 299.—Mouzah Kondloo Mujheenwan, Pergunnah Bhurwarrah; recorded proprietors, Manick Misser and others; sudder jumma, rupees 501-0-8.

No. 522.—Mouzah Hurdeeah, Pergunnah Busontrah; recorded proprietors, Nugoo Misser and others, sudder jumma, rupees 1,202-3-0.

No. 1113.—Mouzah Tulboaree Husnagoodee, Pergunnah Gurehawand; recorded proprietors, Bhola Roy and others; sudder jumma, rupees 652-4-8. This Mehal is under Butwarrah, the Rights and Interest only of Bhola Roy, Rambux Roy, Mohur Roy, Doskhurun Roy, Tishboobun Roy, Soobhan Roy, Annund Gopal Sahaye, Rughoobun Sahaye, Shunkar Sahaye, Judoobund Sahye, Narsin Sahaye, Nundloul Roy, Naraindutt Roy, Doorga Roy, Khadun Roy, Dooda Roy, Dawlut Roy, Hunnooman Shabuck, Indur Roy, Runnoo Roy, Bhakee Roy, Hunnooman Roy, Jhumun Roy, Ruckhun Roy, Munooruth Roy, Jugroop Roy, Rownuck Roy, Gunesh Dutt Roy, Gosahee Roy, Bhacah Roy, Prem Roy, Shunkur Roy, Thakoorlial Singh, minor son of Dursein Roy, under the guardianship of Musamut Peertee Cowar, Dhunmuttee Cowar, and Doorgabeejoy Sing, father and guardian of Woodnarin Sing, minor, Rheekaree Sing, Munhodh Sing, father and guardian of Mawah Lall Sing, minor, Beharee Sing, Munnoo Roy, Loochun Roy, Mohun Roy, Issoree Roy, Koonja Roy, Gardharee Roy, Dhunnee Roy, Jhaskha Roy, Mohunt Bhugoban Doss, Bujrungheeshureelall Panday, Indur Roy, Rutton Roy, Phukun Roy, Defendants, are to be sold.

No. 1651.—Mouzah Bukhtearpore, Pergunnah Kusma; recorded proprietors, Bhoopnarin Sing and others; sudder jumma, rupees 572-8-3.

No. 3055.—Mouzah Shajahanpore Duree, Pergunnah Sureissa; recorded proprietors, Chukowie Roy and others; sudder jumma, rupees 577-8-7.

No. 3053.—Mouzah Kuleanpore Bomeya, Pergunnah Sureissa; recorded proprietor, Ameer Lall, applicant for Butwarrah; sudder jumma, rupees 5,018-10-10.

No. 3093.—Mouza Kuleanpore Bomeya, Pergunnah Sureissa; sudder jumma, rupees 5,018-10-10. This Talook is under Butwarrah, the Right and Interest only of the Defendant Proprietors, viz., Bundhoo Sing, Mawlee Sing, Chutterdhary Sing, Soodee Sing, Bheekdhary Sing, Doomah Sing, Kowur Chowdry, Ramchunder Chowdry, Jeetun Chowdry, Enquern Roy, Shew Ram Roy, Gangapersaud, Ramdyl Jha, Hoolas Jha, Khukroo Jha, Bhyeah Kun Jha, Gholaub Jha, Kishnaran Jha, Runjeet Jha, Munoo Sing, Runnoo Sing, Hridaynarin Sing, Shewdylal Sing, Hardhean Sing, Burrusah Sing, Govinda Sing, Ramead Sing, Rambux Sing, Sumoodee Sing, Farran Sing, Durran Sing, Ramgopaul Sing, Jowahir Lall, Gunnessh Dutt, Barraj Sing, Boodhun Sing, Lallcetram, Neeladoss, Munrunjun Doss, Sree Kishon Doss, Joylall Misser, Choonteelall Misser, Jyahnund Misser, Mooteelall Misser, Hurnarain, Shewnarin, Bundhoo Jha, Goorompersaud Sing, Rambhuroos Sing, Bhoopnarin Sing, Jankee Misrain, Kooldeppersaud, Sham Jha, Rithlall Chowdry, Choornan Chowdry, himself, and as heir of Singassur Dutt Chowdry, Musmut Sooha Kowur, mother and guardian of Karee Chowdry, and Bance Lall Chowdry orf Mukoonnee Chowdry, minor sons and heirs of the late Jugomohun Chowdry, Barun Dutt Chowdry, Munchett Chowdry, Ramsahaye Sing, and Mahtab Singh, Ranglall Chowdry, minor son of Goondur Chowdry, deceased, Jootee Lall, Konjbeharee Lall orf Koonjo Lall, Musst. Seeromun Kowur, Ramlall Roy, Anjudhea Roy, and Cesse Roy, Buja Roy, minors, under the guardianship of Musst. Ramcoomar, the mother, are to be sold.

No. 5201.—Mouzah Rownabulthee, Pergunnah Gurehawand; recorded proprietor, Roy Nundeeputh Mahtha Bahadoor; sudder jumma, rupees 1,405.

No. 5730.—Mouzah Mybee Tupsawah, Pergunnah Puchee; recorded proprietors, Boadkishen Jha and others; sudder jumma, rupees 618-6-3.

No. 5751.—Mouzah Mahadeoputtee Pergunnah Purliccharpore Mohowas; recorded proprietors, Rajah Rughoonundun Sing Bahadoor and others; sudder jumma, rupees 747-4.

T. BRUCE LANE,

Officiating Collector.

THIRHOOT;  
Collector's Office,  
The 18th October 1860. }



# The Calcutta Gazette.

SATURDAY, OCTOBER 27, 1860.

## HOME DEPARTMENT.

No. 2072.

Fort William, the 20th October 1860.

*Notification.*—Under Section CCXLVI. Act XXXII. of 1860, the Governor General in Council is pleased to prescribe the following Form in substitution of the Form No. XI., published in the *Calcutta Gazette* of the 15th, 18th, and 22nd August 1860:—

FORM No. 11.

## INCOME TAX.

For the year ending 31st July 1861.

LIST OF LODGERS, INMATES, CLERKS, AND SERVANTS, UNDER ACT XXXII. OF 1860, SECTION XLII.

1.	2.	3.
Name and Residence of person making Return.	Name of any member of your family residing in your dwelling-house, who is in the receipt, in his or her own right, of Income or Profits liable to be assessed with duty under Act XXXII. of 1860.	Name of any adult person, residing in your dwelling-house not being a member of your family.  [Note.—In this column will be included the name of any person in your service, and residing in your dwelling-house, whose yearly wages may amount to 200 Rupees and upwards. The amount of the wages of such servant should also be stated.]

No. 2070.

The 24th October 1860.

**Notification.**—The Hon'ble the President in Council is pleased to direct the following addition to be made to List No. 1., published under date the 29th September 1854, of parties authorized to send by post without actual payment of postage, all letters, packets, or parcels *bono fide* and exclusively on the Public Service:—

The Superintendent of Forests in the Sangoor and Nerbudda Territories.

No. 2081.

The following Resolution passed by the Governor General in Council on this date is published for general information:—

Read Letter from the Government of Bengal No. 984, dated the 6th of October, requesting that the Lieutenant Governor may be permitted to intimate to all applicants for Furlough, that Furloughs cannot be allotted this year to Government Civil Servants in Bengal.

**Resolution.**—1. The Lieutenant-Governor, in submitting this request, represents that there is now so great a dearth of Civil Officers in the Lower Provinces, that for some time past it has been found necessary, as a general rule, to refuse all privilege leave and all leave on private affairs owing to the difficulty of finding qualified men for the acting appointments, and that if any Furloughs are granted at present to Civil Officers in the Lower Provinces, extreme public inconvenience will be experienced.

2. The Governor General in Council has no doubt that the above statement correctly describes the present state of things in the Lower Provinces, and His Excellency in Council has reason to know that the same difficulty is experienced in quite an equal degree in the North-Western Provinces and in the Punjab and Oude. The Lieutenant-Governor of the North-Western Provinces has earnestly deprecated the transfer from them of any more Civil Servants for service in Oude and the Punjab, both which Provinces have however far less than their proper complement of Civil Servants, even with the aid which has just been afforded by the transfer of a few young Civilians from Bombay.

3. Under these circumstances, the Governor General in Council considers that the interests of the Public Service require that the recommendation of the Lieutenant-Governor of Bengal should be so far acted upon as to allow of no Furloughs (other than on Medical Certificate) except in exchange for Furloughs lapsing by the return of Civil Servants to duty.

4. His Excellency in Council is accordingly pleased to resolve that, until further orders and except on Medical Certificate, Furlough shall not be allotted to any Member of the Bengal Civil Service, except on the return to India from Furlough of a Civil Servant belonging to the same Division of the Presidency to which the applicant for Furlough belongs.

5. Under this rule, all applications for Furlough will be registered, and on a Furlough becoming available by the return to India of any Civil Servant now absent on Furlough, it will be allotted to the senior applicant of the Division to which the returning Civil Servant is attached, on the understanding that, if the applicant to whom the Furlough is assigned fails to take advantage of it

within two months from the date of the assignment, it will be transferred to the next senior applicant. For the purpose of this rule an Officer will be considered to have taken advantage of the Furlough assigned to him, when he has applied for leave to make over charge of his Office.

No. 2091.

The following Act of Parliament XXIII. and XXIV. Vic. Cap. 88 being "an Act to extend certain Provisions for Admiralty Jurisdiction in the Colonies to Her Majesty's Territories in India," is published for general information, together with the Act therein referred to:—

ANNO VICESIMO TERTIO &amp; VICESIMO QUARTO.

## VICTORIÆ REGINÆ.

CAP. LXXXVIII.

*In Act to extend certain Provisions for Admiralty Jurisdiction in the Colonies to Her Majesty's Territories in India [13th August 1860.]*

WHEREAS an Act was passed in the Session holden in the Twelfth and Thirteenth Years of Her Majesty, Chapter Ninety-six, "to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty," and by such Act it was provided, that for the Purposes thereof the Word "Colony" should mean any Island, Plantation, Colony, Dominion, Port, or Factory of Her Majesty, except the United Kingdom and the Islands of *Mun, Guernsey, Jersey, Alderney, and Sark* and the Islands adjacent thereto respectively, and except also all such Parts and Places as were under the Government of the *East India Company*; And whereas it is expedient that the Provisions of the said Act should extend to all Parts and Places heretofore under the Government of the *East India Company* in like Manner as to other Colonial and Foreign Possessions of Her Majesty: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled and by the Authority of the same, as follows:

1. So much of the said Act as excepts the Provisions of the said Act to extend to Parts and Places then under the Government of the *East India Company* to India, from the Interpretation of the Word "Colony" shall be repealed, and for the Purposes of the said Act the Word "Colony" therein shall include and apply to every Part and Place heretofore under the Government of the *East India Company*, or which may be under the Government of Her Majesty in India, and all the Provisions of the said Act shall be construed and take effect accordingly.

11. Provided always, That where any person within any Place in India is charged with Commission of any Offence in respect of which Jurisdiction is given by the said Act, or where any Person charged with the Commission of any such Offence is brought for Trial under the said Act to any Place in India, if at any time before his Trial he make it appear to the Court exercising Criminal Jurisdiction in the Place where he is so charged or brought for Trial, that in case the Offence

charged had been committed in such Place he could have been tried only in the Supreme Court of One of the Three Presidencies in India, and claim to be tried by such a Supreme Court accordingly, the said Court exercising Criminal Jurisdiction as aforesaid shall certify the Fact and Claim to the Governor of such Place or Chief Local Authority thereof, and such Governor or Chief Local Authority thereupon shall order and cause the Person charged to be sent in Custody to such One of the Presidencies as such Governor shall think fit for Trial before the Supreme Court of such Presidency, and the said Supreme Court and all public Officers and other Persons in the Presidency shall have the same Jurisdiction and Authority, and proceed in the same Manner in relation to the Person charged with such Offence, as if the same had been committed or originally charged to have been committed within the Limits of the ordinary Jurisdiction of such Supreme Court.

ANNO DUODECIMO & DECIMO TERTIO.  
**VICTORIÆ REGINÆ.**

CAP. XCVI.

*An Act to provide for the Prosecution and Trial in Her Majesty's Colonies of Offences committed within the Jurisdiction of the Admiralty [1st August 1849.]*

WHEREAS by an Act passed in the Eleventh Year of the Reign of King William the Third, intituled *An Act for the more effectual Suppression of Piracy*, it is enacted, that all Piracies, Felonies and Robberies committed on the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals have Power, Authority, or Jurisdiction, may be examined, inquired of, tried, heard, and determined, and adjudged, in any Place at Sea or upon the Land in any of His Majesty's Islands, Plantations, Colonies, Dominions, Ports, or Factories, to be appointed for that purpose by the King's Commission, in the manner therein directed, and according to the Civil Law and the Method and Rules of the Admiralty: And whereas by an Act passed in the Forty-sixth Year of the Reign of King George the Third, intituled *An Act for the speedy Trial of Offences committed in distant Parts upon the Sea*, it is enacted, that

all Treasons, Piracies, Felonies, Robberies, Murders, Conspiracies, and other Offences of what nature, or kind soever, committed upon the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals have Power, Authority, or Jurisdiction, may be inquired of, tried, heard, determined, and adjudged, according to the common Course of the Laws of this Realm used for Offences committed upon the Land within this Realm, and not otherwise, in any of His Majesty's Islands, Plantations, Colonies, Dominions, Ports, or Factories under and by virtue of the King's Commission or Commissions under the Great Seal of Great Britain, to be directed to Commissioners in the Manner and with the Powers and Authorities therein provided; And whereas it is expedient to make further and better Provision for the Apprehension, Custody, and Trial in Her Majesty's Islands, Plantations, Colonies, Dominions, Ports, and Factories of Persons charged with the Commission of such Offences on the Sea,

or in any such Haven, River, Creek, or Place as aforesaid: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal,

All Persons charged in any Colony with Offences committed on the Sea, may be dealt with in the same manner as if the Offences had been committed on Waters within the local Jurisdiction of the Courts of the Colony.

and Commons, in this present Parliament assembled, and by the Authority of the same, that if any Person within any Colony shall be charged with the Commission of any Treason, Piracy, Felony, Robbery, Murder, Conspiracy, or other Offence, of what Nature or Kind soever, committed upon the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals have Power, Authority, or Jurisdiction, or if any Person charged with the Commission of any such Offence upon the Sea, or in any such Haven, River, Creek, or Place shall be brought for Trial to any Colony, then and in every such Case all Magistrates, Justices of the Peace, Public Prosecutors, Judges, Judges, Comtes, Public Officers and other Persons in such Colony shall have and exercise the same Jurisdiction and Authorities for inquiring of, trying, hearing, determining, and adjudging such Offences, and they are hereby respectively authorized, empowered, and required to institute and carry on all such Proceedings for the bringing of such Person so charged as aforesaid to Trial, and for and auxiliary to and consequent upon the Trial of any such Person for any such Offence wherewith he may be charged as aforesaid, as by the Law of such Colony would and ought to have been had and exercised or instituted and carried on by them respectively if such Offences had been committed, and such Person had been charged with having committed the same, upon any Waters situate within the Limits of any such Colony, and within the Limits of the local Jurisdiction of the Courts of Criminal Justice of such Colony.

II. Provided always, and be it enacted, That if any person shall be convicted before any such Court of any such Offence, such Person so convicted shall be subject and liable to and shall suffer all such and the same Pains, Penalties, and forfeitures as by any Law or Laws now in force Persons convicted of the same respectively would be subject and liable to in case such Offence had been committed, and were inquired of, tried, heard, determined, and adjudged, in England, any Law, Statute, or Usage to the contrary notwithstanding.

III. And be it enacted, That where any Person shall die in any Colony of any Stroke, Poisoning, or Hurt, such Person having been feloniously Stricken, Poisoned, or Hurt upon the Sea, or in any Haven, River, Creek, or place where the Admiral or Admirals have Power, Authority, or Jurisdiction, or at any Place out of such Colony, every Offence committed in respect of any such Case; whether the same shall amount to the Offence of Murder or of Manslaughter, or of being Accessory before the Fact to Murder, or after the Fact to Murder or Manslaughter, may be dealt with, inquired of, tried, determined and punished in such Colony in the same manner in all respects as if such Offence

Provision for the Trial of Murder and Manslaughter, where the Death only happens in the Colony or upon the Sea.

Provision for the Trial of Murder and Manslaughter, where the Death only happens in the Colony or upon the Sea.

had been wholly committed in that Colony; and that if any Person in any Colony shall be charged with any such Offence as aforesaid in respect of the Death of any Person who, having been feloniously stricken, poisoned, or otherwise hurt, shall have died of such Stroke, Poisoning, or Hurt upon the Sea, or in any Haven, River, Creek, or Place where the Admiral or Admirals have Power, Authority, or Jurisdiction, such Offence shall be held for the purpose of this Act to have been wholly committed upon the Sea.

IV. Provided also, and be it enacted, That Jurisdiction of the Supreme Courts of New South Wales and Van Diemen's Land preserved. 9 G 4 c. 83. nothing in this Act contained shall in any way affect or abridge the Jurisdiction of the Supreme Courts of New South Wales and Van Diemen's Land, as established by an Act passed in the Ninth Year of the Reign of King George the Fourth, intituled *An Act to provide for the Administration of Justice in New South Wales and Van Diemen's Land, and for the more effectual Government thereof and for other purposes relating thereto.*

V. And be it enacted, That for the purposes of this Act the word "Colony" shall mean any Island, Plantation, Colony, Dominion, Fort, or Factory of Her Majesty, except any Island within the United Kingdom, and the Islands of Man, Guernsey, Jersey, Alderney, and Sark, and the Islands adjacent thereto respectively, and except also all such Parts and Places as are under the Government of the East India Company; and the word "Governor" shall mean the Officer for the time being administering the Government of any Colony.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this present Session of Parliament.

No. 2093.

The following Notice issued by the Ceylon Government is published for general information:—

**UNIVERSAL NOTICE TO MARINERS.**

**COLOMBO LIGHT, CEYLON.**

COLOMBO, SEPTEMBER 1st, 1860.

All Ships visiting Colombo are hereby warned that the Light has been shifted permanently, from the Old Light-house to the Clock Tower; the Clock Tower bears S. 45° E. Two hundred and fifty yards from the Old Light-house, and is thirty-five feet higher, so that the Light can be seen further off.

JOHN A. PRITCHARD,  
Master Attendant.

No. 2095.

**NOTIFICATION**

The 28th October 1860.

Under the authority given by Section 18, Act No. XXXVI. of 1860, the Governor General in Council is pleased to make the following Rules, to be in force from the promulgation thereof in all Districts in India not annexed to any Presidency or not subject to the general regulations of any Presidency:—

**RULE I.**

Subject to the exceptions mentioned in the two following Rules, there shall be charged upon Peti-

tions of Plaint on suits and appeals instituted in any Civil Court, or in the Court of any Revenue Officer vested with Judicial powers and acting in a Judicial capacity, the following scale of Stamp duty in lieu of that prescribed in Article 8 Schedule III of the said Act, that is to say:—

	Rs.	As.
If the amount or value of the property claimed shall not exceed 8 Rupees . . .	0	4
Above 8 Rupees and not exceeding 12 Rs. . .	0	8
" 12 " " " 16 " . . .	1	0
" 16 " " " 32 " . . .	2	0

and thereafter as in Schedule B of the said Act.

**RULE 2.**

Petitions of Plaint in suits and appeals instituted in the Court of any Revenue Officers as aforesaid, for the recovery of arrears of rent, or of money received by any Agent employed in the management of lands or collection of rents shall be written on paper bearing a Stamp of one-fourth the value prescribed for Petitions of Plaint on suits instituted in a Civil Court. Provided that no such Petition of Plaint shall be written on paper bearing a Stamp of less value than 8 annas if the amount or value of the property claimed shall exceed eight Rupees or on paper bearing a Stamp of less value than 4 annas if the amount or value of the property claimed shall not exceed eight Rupees.

**RULE 3.**

Petitions of Plaint in suits and appeals instituted in the Court of any Revenue Officer as aforesaid, for any matter or thing of the nature described in Section 23 Act No. X. of 1859 (except the recovery of arrears of rent,) shall be written on paper bearing a Stamp of eight annas.

Nothing in these Rules is to be held to apply to Petitions or Applications, not being Petitions of Plaint in suits or appeals to Civil or Revenue Courts or Offices. Such Petitions or Applications are provided for under Article 5, Schedule III of Act No. XXXVI. of 1860.

W. GREY,

Secy. to the Govt. of India.

**FOREIGN DEPARTMENT.**

No. 5078.

Fort William, the 26th October 1860.

The appointment of Lieutenant Bushby to officiate as an Assistant Commissioner in the Hyderabad Assigned Districts, notified in General Order by the Governor General, dated 16th August 1858, No. 2831, is to have effect from the 16th July of that year.

No. 5079.

The services of Lieutenant W. J. Stewart, Assistant in the Revenue Survey Department, are placed at the disposal of the Government of Bengal.

Lieutenant Sir R. DeL. St George, Bart, Assistant Revenue Survey, is posted to the Oudh Surveys.



No. 5080.

Lieutenant P. W. Bannerman received charge of his Office of 1st Assistant to the Agent to the Governor General for Central India and Deputy Opium Agent on 23rd ultimo, from Major W. D. Aitken, of the Bombay Artillery.

No. 5081.

The privilege leave for one month granted to M. Leach, Apothecary in charge of the Civil Dispensary at Lucknow, in General Order dated 16th instant, No. 4842, has been cancelled.

No. 5082.

Captain A. B. Cumberlege, Assistant Commissioner in Nagpore, has obtained leave of absence for eight weeks, from the date on which he may quit Nagpore, to proceed to Bombay, preparatory to applying for further leave to Europe on Medical Certificate.

A. R. YOUNG,

*Deputy Secy. to the Govt. of India.*

#### FINANCIAL DEPARTMENT.

No. 1586 of 1860-61.

To C. H. LUSHINGTON, Esq.,

*Secretary to the Government of India.*

SIR,—I have the honor to request information as to whether under Section CXXIX. of Act XXXII., the allowances called "Moonshee allowance" granted to Junior Civilians is exempt from Income Tax. The words "or to meet any disbursement for the public service" appear to apply to Moonshee allowance which is spent in the liquidation of expenses attending the Examination which qualifies Officers for employment in the Public Service.

I have the honor to be, &c.,

(Signed) R. W. LODWICK,  
*Civil Auditor.*

CIVIL AUDITOR'S OFFICE, }  
14th October 1860. }

No. 10713.

To THE CIVIL AUDITOR AT BOMBAY.

*Ind. Dept.*

SIR,—In reply to your letter No. 1586, dated 5th instant, I am directed to inform you that the allowances called "Moonshee allowances" granted to Junior Civilians should be held exempt, under Section CXXIX. of Act XXXII. of 1860, from Income Tax.

I have the honor to be, &c.,

(Signed) C. H. LUSHINGTON,  
*Secretary to the Government of India.*

FOOT WILLIAM, }  
The 26th October 1860. }

No. 95.

Copy of the above published in the *Calcutta Gazette* for general information.

By Order of the Governor General in Council,

C. HUGH LUSHINGTON,  
*Sery. to the Govt. of India.*

FOOT WILLIAM; }  
FINANCIAL DEPARTMENT, }  
The 26th October 1860. }

#### MILITARY DEPARTMENT.

*Fort William, the 21th October 1860.*

No. 1052 of 1860.—His Excellency the Governor General in Council is pleased to make the following appointment:—

NAGPORE IRREGULAR FORCE.

Lieutenant J. Nuttall, of the 17th Madras Native Infantry, Adjutant and Officiating Second in Command, to be Second in Command of the Cavalry Regiment of the Force, with effect from the 1st September 1860.

No. 1053 of 1860.—The following Order, issued by the Commissioner of the Province to the Nagpore Irregular Force, is confirmed:—

No. 11, dated 1th September 1860.—Permitting Lieutenant J. Nuttall, Adjutant and Officiating 2nd in Command of the Nagpore Irregular Cavalry Regiment, to proceed to Bombay, preparatory to applying for Sick leave to Europe.

No. 1054 of 1860.—His Excellency the Governor General in Council is pleased to admit the under-mentioned men of the 1st Regiment Infantry Nagpore Irregular Force to the 3rd Class "Order of Merit," as a reward for their conspicuous gallantry on various occasions during the past disturbances:—

Jemadar Futeh Mahomed.

" Sheik Ismail.

Havildar Shauk Raheem Bukeh.

*Fort William the 26th October 1860.*

No. 1055 of 1860.—Mr. L. H. Clarke, 1st Class Sub-Assistant Great Trigonometrical Survey of India, is allowed privilege leave for three months, from the 1st December 1860, under Section VII. Clause 1. of amended Uncovenanted Service Leave Rules and Government Notification of the 8th January 1857.

No. 1056 of 1860.—Under the authority of the Right Hon'ble the Secretary of State for India, it is hereby notified for general information, that the balance of Pay of a European Soldier, who may be admitted as a Patient into a Lunatic Asylum, will, after deducting the cost of his maintenance, be payable to his family.

No. 1057 of 1860.—His Excellency the Governor General in Council has been pleased, in the Financial Department, to extend to the Bengal Military Orphan Society the privilege allowed to the Military Fund as regards the grant of relief in consequence of the Mutinies as laid down in paragraph 13\* of the Rules published in Government General Order No. 1131, of the 29th July 1858.

\* Para 13 "As regards the grant of relief to the Military Fund the Governor General in Council considers that it will be more advisable to undertake the annual payment of the Pensions of those who have become entitled to them than to make over to the Fund a sum equal to the present value of those Pensions."

No. 1058 of 1860.—His Excellency the Governor General in Council is pleased to confer the following Rewards on the under-mentioned Native Officers and men, in consideration of their gallant and distinguished conduct at the attack on the position of the Mulsoud Wuzerees in the Barrara Pass, by the Force under the Command of Brigadier General N. Chamberlain, C. B., on the 4th May 1860 :—

1st Punjaub Infantry, Subadar Hubeeb Khan "Bahadoor" ...	Admitted to the 2nd Class of the "Order of the Merit."
1st Punjaub Infantry, Subadar Mahomed Rahim Khan ...	Advanced from the 3rd to the 2nd Class of the "Order of Merit."
1st Punjaub Infantry, Jemadar Anoke Sing ...	
1st Punjaub Infantry, Naick Noaz Mahomed ...	
2nd Punjaub Infantry, Havildar Jemab Shah ...	Admitted to the 3rd Class of the "Order of Merit."
1st Punjaub Infantry, Sepoy Wurream Sing ...	
3rd Punjaub Infantry, Sepoy Meer Alzool ...	

No. 1059 of 1860.—His Excellency the Governor General in Council is pleased, subject to the approval of Her Majesty's Government, to promote Sergeant Major Robert Macminnie, of the 1th Company 5th Battalion of Artillery, to the Rank of Ensign Unattached, as a special reward for his determined conduct and brilliant example in opposing the mutinous proceedings on the night of the 21st September last of certain men of the 5th Bengal European Regiment.

His Excellency in Council is pleased to promote Quarter Master Sergeant Charles Owens, of the 4th Company 5th Battalion Artillery, to be Conductor, in recognition of his exemplary conduct on the same occasion.

No. 1060 of 1860.—With reference to the Notification issued by the Government of the North-Western Provinces, No. 880A., of the 16th instant, the services of Captain P. A. Sage, of the

11th Native Infantry, Commandant of the Shajehanpore Battalion of Military Police, are replaced at the disposal of His Excellency the Commander-in-Chief from the date on which he may be relieved from his present duties.

No. 1061 of 1860.—With reference to Government General Order, No. 1039, of the 23rd instant, the under-mentioned promotions are made :—

*Brevet.*

Rank, Name and Corps.	To what Rank promoted.	From what date.	In succession to
Lieut.-Colonel Robert William Disney, 14th Bombay Infantry	Colonel	26th June 1860.	General Sir H. S. Scott, K. C. B. Madras Infantry, deceased
Major Albert Fytche, Bengal Infantry	1st Lt.-Col.		
Captain Francis Henry Scott, Madras Cavalry	Major		
Lieut.-Colonel William St. Leger Mitchell, Bengal Infantry	Colonel	6th July 1860.	Major-General F. Bland, K. C. B. Madras Artillery, deceased
Major William Robert Strong, Madras Cavalry	1st Lt.-Col.		
Captain John Henry Melville, Bangalore, Madras Infantry	Major		

No. 1062 of 1860.—Supernumerary Sub-Conductor Andrew Gibson, of the Department Public Works, is appointed a permanent Sub-Conductor in that Department from the 12th September 1860, *vice* Sub-Conductor J. Riley, deceased.

R. J. H. BIRCH, *Major-Genl., Secy. to the Govt. of India.*

**PUBLIC WORKS DEPARTMENT.**

**GENERAL.—ESTABLISHMENTS.**

No. 257.

*Fort William, the 24th October 1860.*

*Appointments.*—The appointment of Mr. A. Lawford, 1st Assistant District Engineer in Coimbatore, to officiate as Assistant to the Chief Engineer at Hyderabad during the absence on leave of Captain J. Michael, is confirmed with effect from the 15th April 1860.

No. 258.

*Fort William, the 26th October 1860.*

Mr. W. H. Edmonds is appointed a temporary Sub-Engineer of the 3rd Class in the Public Works Department and posted to Bengal.

Mr. F. N. DeGarnier is appointed a temporary Assistant Supervisor in the Public Works Department and posted to Bengal.

Mr. T. Donly is appointed a Probationary Assistant Overseer in the Public Works Department and posted to Bengal.

Private R. Clarke, of the 6th European Regiment of Infantry, is appointed a Probationary Assistant Overseer in the Public Works Department and posted to Bengal.

No. 259.

*Leave of Absence.*—Leave of absence for six months, on Medical Certificate, under the old Rules, is granted to Lieutenant A. H. B. Bruce, Executive Engineer Futehgarh Division, to visit the Hills North of Dehra.

No. 260.

*Notification.*—Mr. W. C. Law, temporary Assistant Supervisor attached to the 3rd Division Grand Trunk Road, is dismissed from the Public Works Department and declared to be unfit for employment again in any Department of the Public Service.

No. 261.

*Transfer.*—The transfer\* of Mr. B. O'Reilly, Sub-Engineer 3rd Class, from the Punjab to the Tenasserim Provinces, is hereby cancelled, and his services are placed at the disposal of the Government of Bengal.

*Appointment.*—Mr. E. Clarke is re-appointed to the Public Works Department as an Overseer, and posted to Moulmein in place of Mr. B. O'Reilly, Sub-Engineer 3rd Class.

C. H. DICKENS, *Captain,*  
*Offg. Secy. to the Govt. of India.*

### ORDERS by the LIEUTENANT-GOVERNOR, N. W. Provinces.

PUBLIC WORKS DEPARTMENT.

No. 1742A.

*Dated Nynee Tal, the 12th October 1860.*

*Notification.*—The under-mentioned Officers are appointed Members of the Road and Ferry Fund Committees of the Districts opposite their names:—

Lieutenant G. L. K. Hewitt, (Extra Assistant Commissioner	Seonee District.
Mr. J. Sterndale, Deputy Collector of Survey	
Captain Clay, or the Commandant for the time being of the Seonee District Police Battalion	
...	

Captain Blaney, Officiating Commandant District Police Battalion	Dumoh District.
Mr. E. Berrill, Adjutant District Battalion	

By Order of the Hon'ble the Lieutenant-Governor, North-Western Provinces,

A. CUNNINGHAM, *Colonel,*  
*Secy. to the Govt., N. W. P.,*  
*in the Public Works Department.*

### ORDERS by the LIEUTENANT-GOVERNOR, Punjab Provinces.

*Appointment.*—Muthra Dass is appointed a Sub-Overseer in the Public Works Department, in the room of Meer Baz Khan, dismissed, and is posted to the 7th Division Grand Trunk Road.

Public Works Department, No. 1885, dated 11th October 1860.

*Posting.*—Lieutenant L. C. Gordon, Probationary Assistant Engineer, is posted to the 7th Division Grand Trunk Road.

General Department, No. 2656, dated 12th October 1860.

*Transfers.*—Lieutenant J. C. Chalmers, Assistant Commissioner, from the Dera Ishmael Khan to the Multan District.

General Department, No. 2676, dated 13th October 1860.

Mr. H. G. Paynter, Assistant Commissioner, from the Leia to the Peshawur District.

General Department, No. 2677, dated 13th October 1860.

Lieutenant P. W. Powlett, Assistant Commissioner, from the Peshawur to the Kohat District.

General Department, No. 2678, dated 13th October 1860.

Mr. C. T. Owen, Extra Assistant Commissioner, from the Sealkote to the Leia District.

*Leave.*—Lieutenant J. Chalmers, Assistant Commissioner, has obtained two months' leave of absence, from the 10th November next, or such date as he may avail himself of it, to enable him to proceed to Bombay, preparatory to applying for leave to Europe, on Medical Certificate, under the new Rules.

General Department, No. 2672, dated 13th October 1860.

Extra Assistant Commissioner Moulvoo Ahmed Alee obtained privilege leave from 26th March to 23th April 1860.

R. H. DAVIES,  
*Secy. to Govt., Punjab.*

## LAKHORE, THE 12TH OCTOBER 1860.

No. 407.—Under the sanction of the Supreme Government, the under-mentioned heirs of deceased Soldiers, Punjab Irregular Force, are admitted to the Native Family Pension, from the dates specified opposite to their respective names; and the Pay Masters of Pensioners, in whose Circle the individuals reside, will furnish the prescribed Rolls to the Department of Audit, and to the parties concerned:—

NAMES OF CLAIMANTS	Age.			Caste.	Personal appearance and particular marks.	Village and Country.	Nature of relationship to the deceased.	Description of the deceased's Relatives on whose account claims are made.			Date of admission.	Date of Committee's proceedings.	Amount of Pension.	For what period.	By what Pension Pay Master payable.
	Years.	Months.	Days.					Names.	Rank.	Last Corps.					
Meeah Singh	70			5 3 Jut	Mark of a sore above wrist of right hand; marks of boils on shoulder blade of left arm, several other boils on the back. Face long. Eyes black. Hair gray.	Village of Moun-rah, Zillah Umritsur, Punjab	Father	Alla Singh	Sepoy	1st Regt. Punjab Infantry.	15th Aug. 1858.	15th Aug. 1860.	2-12-0	Life	Meerut.
Davie Singh	60			5 8 Jut	Not very dark in complexion, much emaciated in body, has the mark of a boil on the instep of the right foot, has no other marks.	Village of Bussowlee, Tehseel Lalaroo, District Puttiala.	Father	Kan Singh	Sepoy	4th Regt. Sikh Infantry.	17th Mar. 1860.	23rd Feb. 1860.	2-12-0	Life	Meerut.
Hyder	4			Puthan	A fine little boy, no particular marks discoverable, complexion fair.	Village of Pish-tukhuree, Bullah Tehseel, Peshawur Zillah, Peshawur.	Son	Sattar Khan	Sowar	2nd Regt. Punjab Cavalry.	28th Aug. 1860.	31st July 1860.	2-12-0	Till he attains the age of 18 years.	Meerut.
Yad Beebee, alias Hyat Beebee	50			5 5 Mogul	Dark gray hair, a mole on right temple, and another at corner of left eye.	Village of Jubbore, in the Zillah of Kanul Pindce.	Mother	Shah Baz Khan.	Sowar	2nd Regt. Punjab Cavalry.	6th July 1858.	6th July 1860.	2-12-0	Life	Meerut.
Mehar Munjee	22			5 3 Puthan	Fair complexion, large mouth and thick lips, small mole on upper lip.	Village of Tey-ree, in Zillah Kohat.	Wife	Abdoollah	Sepoy	1st Regt. Punjab Infantry.	16th Aug. 1858.	16th Aug. 1860.	2-12-0	Life	Meerut.
Khanmujan	20			5 Puthan	Fair stout figure, and slightly marked with small pox.	Village of Lundee, Purgunah Dodozie, Zillah Peshawur.	Wife	Azeez Khan	Sepoy	1st Regt. Punjab Infantry.	28th July 1858.	28th July 1860.	2-12-0	Life	Meerut.

LAHORE, THE 13TH OCTOBER 1860.

4th Sikh Infantry.

No. 408.—With the sanction of the Supreme Government, the under-mentioned Non-Commissioned Officers who have been declared unfit for further service by the Annual Invaliding Committee, are transferred to the Invalid Pension Establishment, and are granted Stipends of six Rupees each per mensem, with effect from the date on which they were struck off the strength of the Corps:—

Havildar Jorawun Khan.

„ Mohun Sing.

No. 409.—The Kohat Station Order, dated 17th September 1860, by Lieutenant-Colonel A. T. Wilde, C. B., Commanding, directing Assistant Surgeon S. C. Courtney, of the 5th Punjab Infantry, to assume Medical charge of the 2nd Punjab Cavalry, on the departure of Assistant Surgeon A. M. Garden, removed to another appointment, is confirmed, as a temporary arrangement.

No. 410.—The Kohat Station Order, dated 11th June 1860, by Lieutenant-Colonel A. T. Wilde, C. B., Commanding, granting Native Doctor Hoorul, of the 5th Punjab Infantry, leave of absence for a period of forty-seven days, from 12th June to the 28th August 1860, inclusive, on urgent private affairs, is confirmed.

LAHORE, THE 15TH OCTOBER 1860.

3rd Punjab Cavalry.

No. 411.—Ressaldar Sheo Singh is dismissed the Service.

LAHORE, THE 16TH OCTOBER 1860.

3rd Regiment Sikh Infantry.

No. 412.—Leave of Absence.—Surgeon John Squire, from 1st October to the 29th November 1860, on Medical Certificate, to enable him to appear before the Medical Boards at Benares and Calcutta.

No. 413.—The following arrangements are authorized for the families of European Soldiers during their transit from Mooltan to Lahore, for the ensuing season:—

While Marching.

1st.—A four-Bullock Cart for every two families shall be provided by Government *gratis*, with covering complete, to be paid for by Government.

2nd.—Each woman, and each child above twelve years of age, will be allowed the daily ration of one European Soldier, and each child, above two and under twelve years, will be allowed half a ration.

3rd.—Each woman and each child shall be allowed, in excess of the above ration, one pint of milk per diem, and each child two ounces of sago or four ounces of soojee per diem, at the option of the Medical Officer.

4th.—Cooks at the rate of one for ten families will be paid for by Government.

5th.—Quarter Masters' Establishment, &c., in the same proportion as for Soldiers.

6th.—One Tent for sixteen families—half the Detachment would find accommodation in Serais.

7th.—Cooking Pots, as for Soldiers on the march.

8th.—Women sent up by Bullock Train to be provided with all the articles of ration, except

meat, for four days in advance, from Mooltan to Lahore, and one and half anna a day to be paid in lieu of meat and milk, one anna as compensation on account of the former and six pie for the latter.

9th.—In addition to the usual Bedding supplied to the women at Kurrachee, one Quilt should be issued for each child at Mooltan, if deemed necessary by the Medical Officer.

G. HUTCHINSON, Major,

Offg. Secy. to Govt., Punjab,

Military Department.

#### NOTIFICATION.

Under Section XIX, Act XXXVI. of 1850, Revenue Department, the Hon'ble the Lieutenant-Governor of the Punjab and its Dependencies is pleased to appoint all Deputy Commissioners and other Officers exercising the functions of a Collector of land Revenue in the Districts under the authority of the Punjab Government, to be ex-officio "Collectors of Stamp Revenue" under the Act aforesaid, in their respective Districts.

It is further notified that the general superintendence of the Stamp Revenue will be vested in the Financial Commissioner of the Punjab.

By Order of the Hon'ble the Lieutenant-Governor,

R. H. DAVIES,

Secy. to Govt., Punjab.

#### Opium Notification.

Notice is hereby given, that the Eleventh Sale of Opium, the provision of 1858-59, will be held at the Exchange Hall, on Monday, the 5th November 1860, at 11 A. M., and will comprise 1,780 Chests, viz:—

Behar Opium ... ..	1,270
Benares ditto ... ..	510
Total Chests ... ..	1,780

2. The general Conditions of the Sale now advertised will be the same as usual. They may be ascertained by reference to the Notification issued on the 12th November 1859, and published in the *Government and Exchange Gazette*, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 10th and 20th November 1860, respectively, that is to say, no Sub-Treasurer's Receipts, Company's Paper, or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by purchasers at the Sale, will be received after 4 P. M. of Saturday, the 10th November 1860, and no Treasury Receipts in full payment of Lots will be accepted after 4 P. M. of Tuesday, the 20th November 1860.

4. In addition to the quantity above advertised for sale, the following quantities, more or less, of Behar and Benares Opium of 1858-59, will be brought to sale in the present year, on or about the dates specified below.



5. The Board however reserve to themselves the right of altering this date, should circumstances render it expedient to do so :—

	Behar about Clusets	Delicats about Ch-15.	Total about Clusets.
On or about Wednesday, 5th Dec. 1860.	1275	500	1775

By Order of the Board of Revenue,

ASHLEY EDEN,  
*Offg. Junior Secretary.*

FORT WILLIAM, }  
The 1st October 1860.

No. 1156.

Notice is hereby given, that 4,00,000 Maunds of Chilka Kurkutch Salt, deliverable from Ghat Meetakoonah in the Pooree Agency, is available for sale.

The Officiating Junior Secretary to the Board of Revenue is prepared to receive Tenders for the purchase of the above Salt, for which payment must be made, in the usual manner, into the General Treasury after acceptance of Tenders, at the rate of 330 Rupees per 100 Maunds.

By Order of the Board of Revenue,

A. EDEN,  
*Offg. Junior Secretary.*

The 17th October 1860.

#### Notification.

OFFICERS in charge of Treasuries are requested to observe that, under instructions from the Government of India, Items of Receipt and charge on account of the Income Tax are to be entered under a separate heading "Income Tax," instead of "Government of India" as before prescribed; and that the Tax is to be calculated according to the Table published in the *Calcutta Gazette* of the 13th instant, page 2172, which is to supersede that contained in this Office Circular No. 1058, dated 21st September 1860.

W. WATERFIELD,

*Offg. Secy. to the Govt. of Bengal.*

FORT WILLIAM; }  
Office of Acctt., Govt. of Bengal,  
The 14th October 1860.

#### Notice.

HINDOO HOLIDAYS IN NOVEMBER 1860.

1. THE General Treasury will be closed on Monday the 12th, Tuesday the 13th, Wednesday the 14th, and Thursday the 15th November 1860, on account of the Hindoo Holidays, Kalee Poojah, Bhraatesdetaah, and Kartic Poojah.

2. The General Treasury will be closed on Wednesday the 21st, and Thursday the 22nd November 1860, on account of the Hindoo Holidays, Juggodhattree Poojah.

J. I. HARVEY,  
*Sub-Treasurer.*

GENERAL TREASURY, }  
The 16th October 1860.

#### Government Telegraph Department.

CALCUTTA, 19TH OCTOBER 1860.

The following alterations in the revised Rules of this Department, dated the 21st December 1859, have received the sanction of Government :—

*Sections previous to alteration.*      *Sections as now altered.*

XXXIX. Messages are sent "bearing" from Sea-ports when received by Mail Steamers or other Vessels for despatch and addressed to well-known houses or individuals, but the Messages are not to be delivered to the Addressee till payment is obtained.

XXXIX. Messages are sent bearing from Sea-ports when received by Mail Steamers or other Vessels for despatch and addressed to well-known firms or individuals, but no Message, whether paid or bearing, will be received for transmission from any Vessel until her name has been made known.

Bearing Messages will not be delivered to the Addressee till payment has been obtained.

XLII. Violation of Secrecy on the part of any Officer, Assistant, Clerk or Signaller, in the Telegraph Department, will be punished by dismissal from office, forfeiture of arrears of pay, and a declaration in the *Official Gazette* of the incapability of the delinquent to serve in any Official capacity.

XLII. Violation of Secrecy on the part of any person in the Department will be punished by dismissal from office, forfeiture of arrears of pay, and a declaration in the *Official Gazette* of the incapacity of the delinquent to serve the Government in any capacity.

It is a violation of Secrecy to mention the fact that any Message has been received or despatched by any particular person or firm.

C. DOUGLAS, Major,  
*Offg. Dir.-Genl. of Tels. in India.*

#### Income Tax Returns to Special Commissioner.

ALL Returns intended for the Special Commissioner should be forwarded under Seal to the Assessor of the Division or District, with a request in writing that the same may be transmitted to the Special Commissioner.

The 12th October 1860.

#### Notice

Is hereby given, that the *Tithayah Annual* will commence on the 20th February 1861.

A. G. MACDONALD,  
*Magistrate.*

## ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to the several Khas Mehals situated in the District of Balasore, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board dated 18th September 1860, in the Balasore Collectorate, on Thursday, the 8th November 1860, corresponding with the 25th Kartick 1268 Umlee, at 12 A. M. The purchaser of such Mehals will be subject to the Conditions laid down below :—

### CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have received Pottahs from the Settlement Officers.

3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.

5th.—The Right of Government to all Minerals to be reserved :—

Number.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.
			B. G. B.	Rs. As. P.
4	1026	Putna Misturkoochur, Pergunnah Dismullung	18 13 4	8 1 7
5	1027	Mouza Madhaosoodunpore, Pergunnah Noonk-bund	19 12 4	5 12 10

The farming lease of these Mehals will expire in 1868-67 = 1274 Umlee.

A. ELIOTT RUSSELL,  
Collector.

BALASORE,  
The 29th September 1860. }

## ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to a Khas Mehal, situated in the District of Pooree, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board of Revenue, No. 129, dated 18th September 1860, in the Pooree Collectorate, on Thursday, the 8th November 1860, corresponding with the 25th Kartick 1268 Umlee.

The purchaser of such Mehal will be subject to the Conditions laid down below :—

### CONDITIONS OF SALE.

1st.—Estate to be sold to the highest bidder above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchaser to be bound to respect the rights of resident cultivators who have received Pottahs from the Settling Officer.

3rd.—The present settlement of the Estate are liable to revision upon the expiry of the present lease.

4th.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

5th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount

of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.

6th.—The Right of Government to all Minerals to be reserved.

Number.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Half rental as Sudder Jumma.	Upset Price.	REMARKS.
1	56	Arazees Lakheraj. Bazasftee Mouza. Poorsottumpoor. Pergunnah Kotdes, &c.	M. G. B.  35 22 2½	  24 5 9	  250 0 0	

F. H. PELLEW,  
Offg. Collector.

SUB-DIVISION OF ZILLAH CUTTACK ;  
Pooree Collector's Office,  
Th: 1st October 1860.

### ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to the several Khas Mehals situated in the District of Tirhoot, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of Government, in the Tirhoot Collectorate, on Friday, the 16th November 1860, corresponding with the 18th Kartick 1268 F. S. The purchaser of such Mehals will be subject to the Conditions laid down below :—

#### CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jumma-bundee made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.

5th.—The Right of Government to all Minerals to be reserved :—

Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.
		B. C. D.	R. A. P.
1800	Kheman, Pergunnah Loawan	367 17 7	150 0 0
2428	Pirce, Pergunnah Oghara	123 10 15 <i>Dhoorka.</i>	60 0 0
2926	Asawan, Pergunnah Saressa	406 13 4	205 13 2
4937	Khowna, Pergunnah Bhala	881 0 0	1,350 0 0
5047	Rabun, Pergunnah Burail	7 12 12	4 0 0
5200	Rowna Bultheo, Pergunnah Gurohawand	1,039 10 12½	1,405 0 0

T. BRUCE LANG,  
Offg. Collector.

TIRHOOT;  
Collector's Office,  
Th: 6th October 1860.

# ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zomindary Right of Government to the under-mentioned Khas and Nonbad Mehal, situated in the District of Chittagong, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board of Revenue, dated 11th September 1860, No. 1177, in the Chittagong Collectorate on the 16th November 1860, corresponding with the Bengullee, dated 2nd Anghran 1267 B. S. The purchaser of such Mehal will be subject to the Conditions laid down below :—

## CONDITIONS OF SALE.

- 1st.—Estate to be sold, with the Sudder Jumma entered against it below, to the highest bidder above the upset price.
- 2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummaabundee made by the Revenue Authorities.
- 3rd.—A deposit of Rupees 25 per Cent. upon the amount bid will at once be made, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.
- 4th.—The Right of Government to all Minerals to be reserved :—

Number.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	REMARKS.
1	61	THANNAH BHATTAPARKE, MOUZAM SHETULPORE, &c. Izarah Golab Bebee, &c.	D. K. G. C. 151 11 5 2	Rs. As. P. 758 7 6	Rs. As. P. 918 1 4	

T. D. WARD,  
Offg. Collector.

CHITTAGONG COLLECTORATE, }  
The 5th October 1860.

## Notice

Is hereby given, that the Cachar Mela, or Annual Fair, will be held at Silchar, in Cachar, on the 30th and 31st December 1860, and the 1st, 2nd, and 3rd of January 1861.

Prizes will be given for the best specimens of Cattle, Raw Products, and Manufactures brought for Sale, a competent Committee being selected to determine the above.

Shops will be erected as heretofore for the convenience of Traders who may feel disposed to attend.

Races, Games, &c., open to all, will be held as usual, and a display of Fire-works take place.

N. B.—The last Mela was attended by a great concourse of people, and the results were so gratifying, as to encourage its continuance annually.

Many Buffaloes, Cows, Ponies, and flocks of all sorts and kinds were brought for sale, and readily disposed of.

J. F. SHERRER,  
Offg. Superintendent.

ZILLAH CACHAR;  
Superintendent's Office,  
The 16th July 1860.

## Cochin Light.

Information is hereby given, that the Light at Cochin, instead of being raised to a height of 114 feet as usual, on and after the 15th September, will continue to be displayed at the lower elevation of sixty-seven feet until further notice. It may not therefore be visible beyond eight or nine miles.

2. The Flag Staff being under repair, a smaller temporary Mast for signalling will be put up, which will not be seen at any great distance.

JOHN J. FRANKLIN,  
Supdt. of Marine.

MADRAS;  
Marine Supdt.'s Office,  
The 3rd September 1860.

## ADVERTISEMENT OF SALE.

Notice is hereby given, that the Zemindary Right of Government to the several Khas Mehals, situated in the District of Monghyr, and mentioned in the Statement hereunto annexed, will be put up to Sale, under Orders of the Board of Revenue, No. 120, dated 4th September 1860, addressed to the Commissioner of Revenue of the Bhaugulpore Division, in the Monghyr Collectorate, on the 30th November 1860, corresponding with the Fuslee date 2nd Aughun 1264. The purchaser of such Mehal will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jumma-bundec made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed 100 Rupees, the whole amount to be paid at once.

4th.—When the amount of purchase money exceeds 100 Rupees, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the fifteenth day after the Sale, reckoning the day of Sale as one.

5th.—The Right of Government to all Minerals to be reserved.

W. H. HENDERSON,

Collector.

MONGHYR COLLECTORATE, }  
The 10th October 1860. }

Number.	Towhee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	Remarks.
3RD CLASS.						
1	2291	Arazie Muskun Ramnewaz, Jemadar, in Thannah Burhyah, Pergunnah Salemabad	0 15 0 0	2 0 0	2 0 0	
2	2531	Arazie Ammanut Sircar, in Thannah Roopowlee, Pergunnah Furkeeah	158 18 17 0	95 ■ 8	111 14 10	
3	2574	Beckuhpoor, Pergunnah Monghyr.	0 16 0 0	3 4 0	3 4 0	
4	2621	Girdline, Thannah Rautun, Pergunnah Furkeeah	58 13 ■ ■	16 9 1	20 7 3	
5	2622	Arazie Ammanut Sircar, Thannah Rautun, Pergunnah Furkeeah	155 6 6 0	42 3 6	55 3 0	
6	2641	Arazie Ammanut Sircar, in Thannah Jaffrah, Pergunnah Furkeeah	111 4 0 0	65 4 0	76 0 1	
7	2642	Invalid Jagheer of Sheer Khan, Havildar, in Thannah Jaffragunge, Pergunnah Monghyr	33 10 0 0	22 0 0	25 8 0	
8	2644	Arazie Ammanut Sircar, in Thannah Purbutta, Pergunnah Furkeeah	14 1 14 0	8 4 0	9 8 6	
9	2645	Invalid Jagheer of Shewdial Sing, Naick, in Muheshletta, Thannah Rampoor, Pergunnah Salemabad	50 9 13 0	25 2 1	31 0 4	
10	2692	Arazie Ammanut Sircar, in Thannah Rajunpoor, Pergunnah Kulkhund	138 19 10 10	96 12 10	104 13 9	
11	2700	Invalid Jagheer of Bhuwanny Sing, Naick, in Thannah Nurriar, Pergunnah Ooturkhund	25 9 14 0	16 0 0	16 0 0	
12	2701	Invalid Jagheer of Tikaram, Sepoy, in Thannah Suhursah, Pergunnah Ooturkhund	30 0 0 0	10 0 0	10 0 0	
13	2703	Arazie Ammanut Sircar, in Thannah Suhursah, Pergunnah Ooturkhund.	3 11 0 0	2 10 0	2 10 0	
14	2718	Arazie Ammanut Sircar, in Thannah Dhurhurah, Pergunnah Monghyr...	5 8 6 0	3 5 0	4 5 3	
15	2715	Arazie Ammanut Sircar, in Thannah Arramnugur, Pergunnah Monghyr.	20 2 0 ■	8 0 7	70 8 0	

Number.	Powjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price	REMARKS.
16	2768	Mannickpoor Serajoodinpoor, Pergunnah Monghyr	36 14 0 0	31 11 6	39 2 7	
17	2767	Invalid Jagheer of Moraud Ally, Subadar, in Thannah Bindrabun, Pergunnah Monghyr	98 14 4 0	55 1 5	68 3 11	
18	2825	Invalid Jagheer of Durgahee Khan, Sepoy, in Thannah Soolindabad, Pergunnah Ooturkhund	49 1 7 0	22 4 0	29 1 3	
19	3034	Arazie Ammanut Sircar, in Mouzah Soorjee Chuck, Thannah Rampoor, Pergunnah Salemabad	8 5 10 0	10 4 5	12 11 0	
20	3014 & 3015	Ammanut Sircar, in Thannah Soolindabad, Pergunnah Ooturkhund.	42 14 16 0	32 5 5	42 4 4	
21	3046	Arazie Ammanut Sircar, in Thannah Nurriar, Pergunnah Ooturkhund	1089 7 16 0	350 0 0	373 8 10	
22	3069	Line Thannah Rauton, Pergunnah Furkeeah	11 3 13 0	4 9 0	5 10 1	
23	3070	Arazie Girdline, Thannah Jaffrah, Pergunnah Furkeeah	26 2 7 0	12 11 7 1/2	15 14 10	
24	3071	Arazie Ammanut Sircar, in Belirah, Thannah Bindrabun, Pergunnah Monghyr	123 13 13 10	23 13 9	31 3 2	
25	3080	Arazie Ammanut Sircar, in Mouzah Singha, Thannah Dhurhurah Pergunnah Monghyr	12 10 10 0	13 2 3	16 3 0	
26	3092	Arazie Girdline in Thannah Jaffrah-gunge, Pergunnah Monghyr	9 11 7 0	12 0 0	13 6 5 1/2	
27	3095	Arazie Girdline, in Thannah Purbuttah, Pergunnah Furkeeah	74 4 6 0	12 0 0	42 0 0	
28	3102	Invalid Jagheer of Nozam Bheestv, in Thannah Bindrabun, Pergunnah Monghyr	19 8 6 2	8 1 11	10 13 8	
29	3252	Ammanut Sircar, in Thannah Rajunpoor, Pergunnah Kulkhund	4 2 11 0	1 3 2	1 9 6	
30	3251	Ditto Ditto	35 3 16 0	19 5 9	23 14 5	
31	3250	Ditto Ditto	10 0 8 0	8 0 0	8 9 0	
32	3311	Invalid Jagheer of Alluf Khan, Subadar, in Thannah Bindrabun, Pergunnah Monghyr	193 19 0 0	59 2 8	77 5 4	

W. H. HENDERSON,  
Collector.

Sheriff's Office, the 13th October 1880.

Notice is hereby given, that a Sessions of Oyer and Terminer and Goal Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House in the Town of Calcutta, on Tuesday, the Fourth day of December next, at 12 o'clock at noon.

The Court will open on the first day of the Sessions at 12 o'clock at noon, and upon each succeeding day precisely at 11 o'clock in the forenoon, at which all persons are required to take notice.

C. H. BROWN,  
Sheriff.

নরিক আকিস ১০ অক্টোবর ১৮৮০ সাল।

নয়াদার বেওয়া বাইডেছে যে আগামি

৪ ডিসেম্বর বস ১৮৮০ সাল মহলবার

দুই প্রহরের সময় কলিকাতার কোর্ট উইলি-  
এমের এবং তাহার অন্তঃপাতি যে সকল  
হান তন্নিমিত্ত বঙ্গ দেশের কোর্ট উইলি-  
এমের গুপ্তেম কোর্ট আপন আদালত ঘরে  
ওয়েন্টেরমিনর এবং এডমাইরেলটি অর্থাৎ  
মহা সমুদ্র সম্প্রদায় মোকদ্দমা নিষ্পত্তি  
জন্য এক সেশিয়ান অর্থাৎ মিছিল করি-  
বেশ।

এই সেশিয়ান জতকাল পর্যন্ত বলিবেক  
তাহার প্রথম দিবস দুই প্রহরের সময় তা-  
হার পর প্রতি দিবস এগারো ঘণ্টার সময়  
বলিবেক এ বিবরণ সকলে অরণ গ্রাখ্যম।

C. H. BROWN,  
Sheriff.



*Court for the Relief of Insolvent Debtors at Calcutta.*

In the matter of Alexander McGilvray, an Insolvent. } On Tuesday, the 9th day of October instant, it was ordered that Saturday, the 5th day of January next, be appointed for the further hearing of this matter, and that unless cause be shown to the contrary on that day, the said Insolvent be discharged personally, as well as to his after-acquired property, from all liability for debts, claims and demands of and against the said Insolvent at the time of the filing of his petition for relief.

Robertson and Hickie, Attorneys.  
Chief Clerk's Office, the 10th October 1860.

**Notice**

Is hereby given, that the Partnership between the undersigned Frederick Alexander Malcolm Nicol, and Richard Palmer Sage, Land Owners and Proprietors of Collieries at Chowkedangah near Rancegunge, Zillah Beerbhoo, and elsewhere, under the firm of Nicol and Sage was this day dissolved by mutual consent, and in future the business will be carried on by the said Richard Palmer Sage on his separate account, and who will pay and receive all debts owing from and to the said Partnership in the regular course of Trade.

Witness our hands this seventeenth day of October 1860.

F. A. M. NICOL,  
R. P. SAGE.

Witness to the signing hereof  
by the said Frederick Alexander Malcolm Nicol.

THOMAS HX. SCARBOROUGH,  
Solicitor, 5, Bloomsbury Square,  
London.

আমি, চরিশঙ্কু দোষ সাং বাদীনা।  
জিলা বর্দমান।  
আমি, জীবন্ত কান, পী, সেক্ট সাহে  
বের দস্তখতের সাক্ষি চাইলাম ইতি।

**Bengal Printing Company, "Limited"**

NOTICE is hereby given, that the FOURTH CALL of Rupees (25) twenty five per share, in this Company, is to be paid into the Agra and United Service Bank, "Limited," on or before Thursday, the 1st November 1860.

By Order of the Directors,  
A. G. ROUSSAC,  
Secretary.

9, HASTINGS' STREET, }  
The 1st Oct. 1860. }

**Found,**

A GOLD Watch and Chain. The Owner may have them by sending to the Officiating Joint Magistrate of Nuddea a full description of them, with the particulars of their loss, and paying all expenses of carriage and advertisement.

D. J. MACNEIL,  
Offg. Joint Magistrate.

COPIES OF THE

**Report of the Indigo Commission,**

TOGETHER WITH

**The whole of the Evidence**

TAKEN BEFORE THE COMMISSION,

AND THE

APPENDICES, Nos. I., II., AND III.,

Can be had on application to the PRINTER of the Calcutta Gazette, Bengal Office, at 8 Rupees per copy.

IN THE PRESS

And will be ready in a few days,

THE POPULAR EDITION

OF

**THE NEW INDIAN PENAL CODE,**

WITH ABSTRACT AND INDEXES

By W. THEOBALD, Esquire,

Barrister, Clerk of the Crown, &c., Supreme Court, Calcutta

In royal 8vo. uniform with Theobald's Acts.  
Price stitched Rs. 3, Cloth Rs. 3-8 Cash. By Post four annas additional.

THACKER, SPINK AND CO.

**Lost,**

A Five and-a-Half per Cent. Loan Acknowledgment (in original) for the sum of (Rupees 3,000) Rupees three thousand, granted on the 17th May 1859, in favor of Mr. William Waterfield, by the Collector of this District.

H. BALFOUR,  
Offg. Collector.

DINAIPUR ;  
Collector's Office,  
The 15th October 1860. }

**Lost,**

Right hand halves of Bank of Bengal Notes,

No. 0278111. for Rupees 500.  
" 07215F. " " 100.

Also left hand halves of

No. 05887H. for Rupees 500.  
" 08192 " " 100.  
" 08183 " " 100.

Payment has been stopped.

**NOTICES issued by the  
POST-MASTER of CALCUTTA.**

No. 1832.

*The 22nd October 1860.*—MAIL PACKETS for the Overland Mail, which leaves Bombay on the 11th proximo, will be closed at this Office at 5 P. M. on Friday, the 2nd idem, *via* Marseilles only.

Letters and Papers, for transmission *via* Bombay, will be received up to 6 P. M. on every day prior to the 2nd, and Inland Postage to Bombay must be prepaid in Stamps on Letters sent by this

opportunity to places in Egypt and to Countries in Foreign Europe *via* Trieste:—

*Rates of Postage.*

Under ½ Ounce	Rs.	0	6	0
" ½ "	"	0	8	0
" ¾ "	"	0	14	0
" 1 "	"	1	1	0

No. 1813.

*The 21th October 1860.*—Notice is hereby given that the Mails for Akyah, Rangoon, and Moulmein for transmission per Steamer *Governor Higginson* will be closed at this Office on Thursday, the 1st November, at 6 P. M.

*PACKETS for the reception of Letters by the following Ships are open at this Office —*

NAMES OF VESSELS.	Agents.	Intended Departure.	For what Port.	Touching at	REMARKS.
Steamer <i>Governor Higginson</i>	Mackinnon, McKenzie & Co	2nd November 1860	Moulmein	Akyah and Rangoon.	

*The 20th October 1860.*



# APPENDIX TO The Calcutta Gazette.

SATURDAY, OCTOBER 27, 1860.

## LAND SALE NOTICES.

NOTICE is hereby given, under Section VI Act VI of 1859, that the under-mentioned Estate, in Zillah Tipperah will be put up to public and unreserved Sale at the Collector's Office of that District, on the 16th day of November 1860, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th day of September 1860 —

*Class I—Permanently-settled Estates*

No 1369—Pergunnah Shampore, Mohol Nowrah, recorded proprietors, Mr G. H. Lamb, sudder jumma, rupees 406-11-9

J. D. GORDON,  
Officiating Collector

Tipperah;  
Collector's Office,  
12th October 1860 }

NOTICE is hereby given, under Section VI Act VI of 1859, that the under-mentioned Estate, in Zillah Jessore, will be put up to public and unreserved Sale at the Collector's Office of that District, on the 17th November 1860, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th September 1860 —

*Class I—Permanently-settled Estates*

No 326—Kismat Donar and Ashin Nuggur, Pergunnah Emulpore, recorded proprietors, Harchunder Ghose, Brozonath Ghose, Chundernath Ghose and Bishoshereet Datta, sudder jumma, rupees 536-15-1.

R. J. WHIRAM,  
Offg Collector.

Jessore Collectorate,  
10th October 1860. }

NOTICE is hereby given, under Section VI Act VI of 1859, that the under-mentioned Estates, in Zillah Turhoot, will be put up to public and unreserved Sale, for Arrears of Revenue, at the Collector's Office of that District, on Saturday, the 17th November 1860, at 19th Kutuck 1268 P, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th September 1860 —

*Class I—Permanently-settled Estates*

No 39.—Mouzah Jownapore Khiss, Pergunnah Balagatch, recorded proprietors, Wuzzer Lall, former guardianship of Jankee Coomai and others. The full and Interest in the 11 annas' share of Wuzzer Lall only in this Mouzah is to be sold, sudder jumma, rupees 1,226-15-5.

No 50.—Mouzahs Ramchunderpore, Mayda and Bhagrappore, Pergunnah Balagatch, recorded proprietors, Ragha Sing and others; sudder jumma, rupees 1,765-6-0.

No. 299.—Mouzah Kondlee Mujheesawan, Pergunnah Bharwarrah; recorded proprietors, Manick Misser and others; sudder jumma, rupees 501-0-3.

No. 522.—Mouzah Hurdetah, Pergunnah Busontrah; recorded proprietors, Nugoo Misser and others, sudder jumma, rupees 1,202-3-0.

No. 1113.—Mouzah Tulbonree Husnagoodee, Pergunnah Gurehawand; recorded proprietors, Bhola Roy and others; sudder jumma, rupees 652-4-6. This Mehal is under Butwarrah, the Rights and Interest only of Baula Roy, Rambur Roy, Mohur Roy, Dookhuran Roy, Tirkhoobun Roy, Soobhas Roy, Annand Gopal Sahaye, Hughcobans Sahaye, Shunkur Sahaye, Judoobund Sahye, Narain Sahaye, Nundloul Roy, Narandutt Roy, Doorga Roy, Khadun Roy, Jooda Roy, Dawlut Roy, Hunnooman Shabuck, Indur Roy, Runnoo Roy, Blakee Roy, Hunnooman Roy, Jhumun Roy, Rackhun Roy, Munooruth Roy, Jugroop Roy, Rowneck Roy, Ganesh Dutt Roy, Gosahoe Roy, Bhacah Roy, Prem Roy, Shunkur Roy, Thakoordial Singh, minor son of Dursein Roy, under the guardianship of Mussamuts Peertee Cowar, Dhunmuttee Cowar, and Doorgabeejoy Sing, father and guardian of Wooditnarin Sing, minor, Bheekaree Sing, Munhodh Sing, father and guardian of Mawah Loll Sing, minor, Beharoo Sing, Munnoo Roy, Loochun Roy, Mohun Roy, Issoree Roy, Koonja Roy, Girdharee Roy, Dhunnee Roy, Jhookha Roy, Mohunt Bhugooobun Doss, Bujrungheehureelall Panday, Indur Roy, Rutton Roy, Phunkun Roy, Defendants, are to be sold.

No. 1054.—Mouzah Bukhtearpore, Pergunnah Kusma; recorded proprietors, Bhoopnarain Sing and others; sudder jumma, rupees 572-8-3.

No. 3055.—Mouzah Shajahanpore Dusrree, Pergunnah Sureissa; recorded proprietors, Chukowree Roy and others; sudder jumma, rupees 577-8-7.

No. 3083.—Mouzah Kuleanpore Bomeya, Pergunnah Sureissa; recorded proprietor, Ameer Lall, applicant for Butwarrah; sudder jumma, rupees 5,018-10-10.

No. 3083.—Mouza Kuleanpore Bomeya, Pergunnah Sureissa; sudder jumma, rupees 5,018-10-10. This Talook is under Butwarrah, the Right and Interest only of the Defendant Proprietors, viz., Bundhoo Sing, Mawlee Sing, Chutteidhary Sing, Soodee Sing, Bheekdhary Sing, Doomah Sing, Kowur Chowdry, Rameehunder Chowdry, Jeetun Chowdry, Fugura Roy, Shew Ram Roy, Gangapersaud, Remyal Jha, Hoolas Jha, Khukroo Jha, Bhyeah Ram Jha, Gholaub Jha, Kishnarain Jha, Ranjeet Jha, Munoo Sing, Runnoo Sing, Hirdaynarain Sing, Shewdyaal Sing, Hardhean Sing, Burrasah Sing, Govinda Sing, Rameaud Sing, Rambax Sing, Sumoodee Sing, Purran Sing, Durran Sing, Rangopaul Sing, Jowahir Lall, Gunnesb Dutt, Burraj Sing, Boodhun Sing, Lulleetram, Neeladoss, Munrunjun Doss, Sree Kishen Doss, Joylall Misser, Chooneelall Misser, Jyahnund Misser, Mootelall Misser, Humarain, Shewnarin, Bundhoo Jha, Goorooopersaud Sing, Rambhuroos Sing, Bhoopnarain Sing, Jankee Misser, Kooldeppersaud, Sham Jha, Rithlall Chowdry, Chooraman Chowdry, himself, and as heir of Singassur Dutt Chowdry, Mussmut Sooha Kowur, mother and guardian of Karee Chowdry, and Bancee Loll Chowdry orof Mukoonce Chowdry, minor sons and heirs of the late Jugomohan Chowdry, Barun Dutt Chowdry, Mancheet Chowdry, Ramsahaye Sing, and Mahtab Singh, Ranglall Chowdry, minor son of Goonuur Chowdry, deceased, Jootee Lall, Konjbahara Lall orof Koonjo Lall, Musst. Seeromun Kowur, Ramlall Roy, Ajudhea Roy, and Cossee Roy, Birja Roy, minors, under the guardianship of Musst. Hancoomar, the mother, are to be sold.

No. 5201.—Mouzah Rownahultlee, Pergunnah Gurehawand; recorded proprietor, Roy Nundeeputh Mahtha Bahadoor; sudder jumma, rupees 1,405.

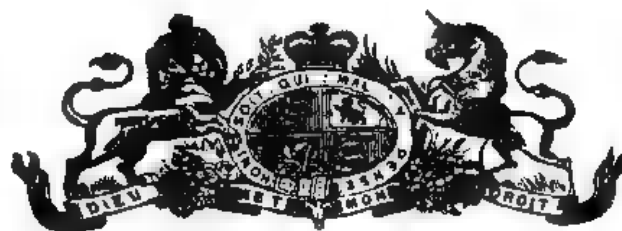
No. 5730.—Mouzah Myber Tapsawah, Pergunnah Puchee; recorded proprietors, Boadkishen Jha and others; sudder jumma, rupees 648-6-3.

No. 5751.—Mouzah Mahadeoputtee, Pergunnah Purheeharpore Mohowas; recorded proprietors, Rajah Rughoonundun Sing Bahadoor and others; sudder jumma, rupees 747-4.

T. BRUCE LANA,

*Officiating Collector.*

TIRHOOT;  
Collector's Office,  
The 18th October 1860. }



## SUPPLEMENT TO The Calcutta Gazette.

SATURDAY, OCTOBER 27, 1860.

### OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE will henceforward be published, weekly or twice a week, according to circumstances, containing such Official Papers and Information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately, on a payment of six Rupees per annum if delivered in Calcutta, or twelve Rupees if sent by post.

No Official Orders or Notifications the publication of which in the GAZETTE is required by law, or which it has been customary to publish in the GAZETTE, will be included in the SUPPLEMENT. For such Orders and Notifications, the copy of the GAZETTE must be looked to, as heretofore.

Home Office, October 26th, 1860.

#### The Substitution of Civil Police for Military Guards in Calcutta.

THE Governor General in Council has signified his entire concurrence in the views expressed in the following correspondence, and the Commissioner of Police will be authorized by the Government of Bengal to carry out, in concert with the Departments and Establishments concerned, the arrangement he has proposed. It has been intimated to the Lieutenant-Governor of Bengal, that the increase in the numbers of the Civil Police must be balanced by a corresponding decrease in the numbers of the Military Police.

The suggestion in the 12th and 11th paragraphs of Mr. Wauchope's letter, respecting the advantage of adopting more generally the plan of making public payments by means of Cheques on the Bank of Bengal, has been referred for consideration in the Financial Department.

From H. BELL, Esq., Under-Secretary to the Government of Bengal, to the Secretary to the Government of India, Home Department,—(dated the 13th October 1860.)

SIR,—In submitting, for the consideration and orders of the Government of India, the accompanying copy of a letter\* from the Commissioner of

\* No. 698, dated 27th ultimo, with enclosure.

Police, suggesting the substitution of Civil Police for the Military Guards now employed in Calcutta, I am directed by the Lieutenant-Governor to recommend Mr. Wauchope's proposition to the favorable consideration of His Excellency the Governor General in Council.

2. With regard to the Mint, the Treasury, and the Bank of Bengal, the Lieutenant-Governor thinks a Night Guard would answer every purpose; and if moreover these Night Guards were used not

for the purpose of supplying Sentries at every spot that requires to be watched, but rather for the purpose of a Reserve Guard, leaving the mere watching by night as well as by day mainly to the Police, all purposes would be answered.

3. A small Reserve Guard on a somewhat similar principle, except that it would be more required for the day than for the night, might also, the Lieutenant-Governor thinks, be maintained with advantage at the House of Correction.

From S. WAUCHOPE, Esq., C. B., Commissioner of Police, Calcutta, to the Secretary to the Government of Bengal,—(dated the 27th September 1860.)

SIR,—I have the honor to submit, for the consideration of the Hon'ble the Lieutenant-Governor of Bengal, a Statement of all Guards and Posts in Calcutta, outside Fort William, held by Troops of the Line and by men of the Military Police Battalion, showing also the number of Sentries on each Guard by day and by night. From this it appears that 275 Regular Soldiers and 184 Military Policemen are on duty in Calcutta and absent from their Corps.

2. Without entering into the prejudicial effects to discipline which must be caused by cutting up Regiments into small Detachments, and employing them at a distance from Head-Quarters, I would suggest that many of the duties on which Military Guards are now employed in Calcutta are entirely of a Civil nature, and that some of them, even if not entirely dispensed with, might be greatly relieved by the employment of Police.

3. The system of employing Police instead of Military on Civil duties has been attended with increased efficiency and great economy in London, in a portion of the Madras Presidency, and, so far as my limited means will allow, in Calcutta.

4. And first, with regard to the efficiency. It stands to reason that in all matters of mere watching, and in the prevention of ordinary crime, a disciplined Policeman, whose constant duty since

he entered the Force has been to put down disturbances and watch thieves, must be more efficient than a Soldier, who is placed on a duty which must be strange to him, and for the proper performance of which he must generally be hampered by the very Arms placed in his hands. That the Calcutta Police can perform such duties efficiently I have no doubt; and I may mention the fact that during last year no less than Rupees 9,339 have been paid by persons requiring the services of the Police for private purposes, such as the watching specie on its arrival at the Banks, and the prevention of disturbances, &c., at festivals and other occasions. It was formerly the custom to hire private servants for these matters, but when it was discovered that the Police, having legal authority on which to act, performed such duties more economically and more efficiently, the public gave up employing the former and adopted the Police almost universally.

5. And the same rule ought to hold good with regard to the Departments of Government in the employment of Police in Civil duties. If the Agent for Bass and Alsopp's Beer finds the employment of a Durwan ample to secure the protection of his stores of Beer, and if enormous quantities of hay and straw are left in sheds on the River side without any guard beyond the ordinary Police on duty in the neighbourhood, I see no reason why highly trained and expensive Soldiers should be kept to guard the hogsheds of Government Beer and the trusses of Government hay which fill the Commissariat Godowns. It is the same with regard to Barracks; and I may say that in Fort William, into which the Police cannot enter, where there are Military Guards and Sentries over the Barracks, numberless thefts are committed among the Officers and men, so much so that even Soldiers' Muskets were at one time stolen; whereas the mere placing Policemen in the neighbourhood of the Coolie Bazar Barracks put an entire and immediate stop to the depredations which were being committed there even more frequently than in the Fort.

6. The whole of the Civil Guards in Calcutta being under one head, and under one controlling authority, must in itself add to their efficiency. At present, in the event of any theft or other occurrence taking place, an enquiry is first held by the Military Guards, another by the Head of the Department, and eventually, when most probably too late, the case is made over to the Police; whereas, if the watchmen were all Policemen under one organization, immediate action can and will be taken according to Law.

7. Secondly, as regards the economy of substituting an organized Police for the Military Guards in Calcutta. Every Native Soldier, according to the Military Finance

\* See their Report No. Commissioners,\* cost on 2331, dated 29th August, an average Rupees 250 per annum. What each

Military Policeman costs I cannot very accurately ascertain, but it is certainly more than a Civil Policeman. From a Statement which I have made up I find that each Policeman in Calcutta costs about Rupees 130 but this includes the rent of all the Section Houses, which is a very high item, and every contingency connected with the Force, so that, even if the same number of Police as of Soldiers was employed on these Guards, there would be a considerable saving to the State.

8. But there is another strong objection to the employment of Military Police in Calcutta, which is, that in regard to their duties they are subject to no Law whatever; they are not amenable to Military Law, because they are not Soldiers, nor to Civil Law, because the Calcutta Police Act applies only to Police enrolled as Members of the Calcutta Police Force.

9. Independently, however, of the actual annual saving in the amount of pay by the employment of Civil Police on Civil duties, it must be recollected that a very considerable saving arises from the smaller number of Policemen, compared with Soldiers, required to perform the same duties. A Soldier is considered to be hardworked when one night on duty and two nights off duty, and even then the Guards are required to be continually relieved; whereas the whole of the Calcutta Police are on duty every night, and the same men will watch the same Posts the whole year through without relief. In fact the Civil Police, whose proper duty it is to watch, and are paid for so doing and for nothing else, perform a day's work for a day's pay, while the Native Soldier, who is enlisted for a totally different purpose, does not perform half a day's work throughout the year as a Policeman, whatever he may do in his Military capacity.

10. That the Police can perform the duties now made over to the Military Authorities has, as stated above, been demonstrated by the removal of twenty-three men of a Regular Regiment formerly stationed as a Guard at the Police Office, and the reduction of forty men more from the Government House Guard, the duties of both being performed by Native Police, whom I was able to make available for the purpose, owing to the increase some time ago to the Calcutta European Police Force. The saving of Rupees 15,750 annually, according to the calculation of the Military Finance Commissioners, by the substitution of Police for Soldiers, more than pays for the extra European Police in Calcutta, who have been considered necessary by the large increase to the European population in Calcutta, and, as far as I can judge, the efficiency also is improved.

11. I shall now proceed to the Guards of Regular Troops in Calcutta which are susceptible of reduction. They

	Number of Guard	Sentries by day	Sentries by night
Treasury Guard	50	7	0
Mint Guard	20	10	20
Bank of Bengal Guard	15	3	3
Total	145	28	32
Presidency Pay-office Guard	18	2	4
In charge of Medals	5	1	1
Endow Ghaut	10	2	2
Commissariat Sheds	27	6	6
Garrison Store Keepers	3	1	1
Cattle Sheds	10	2	2
Total	75	14	16
Grand Total	220	42	48

are noted in the margin, and amount to 218 men, having forty Sentries by day and forty-eight by night. With regard to the Guards on the Treasury, the Mint, and the Bank, it might perhaps, in consideration of the very large amount of Baggage stored in them, not be advisable that they should be undertaken by

the Police at present. It is true that in London all Guards over the Bank during the day are sup-



plied by the Metropolitan Police, a small Detachment of Soldiers being moved into it at night to give additional security; and I see no reason why this plan should not be adopted eventually at the Treasury and the Bank, although the Mint is so far from the Fort that it might be difficult to march Troops there in the evening and withdraw them in the morning.

12. But I am of opinion that the whole of the other Guards might be at once withdrawn, and their places taken by the Calcutta Police. If it be said that large sums of money are kept in the Presidency Pay-Office, and that therefore that Establishment should be guarded by regular Troops, I would remark that there seems to me no difficulty in paying all sums from the Pay-Office in Cheques, as is done in England, and in every private Establishment in Calcutta. I shall refer to this subject in another part of this letter. All the other Soldiers who compose the Guards mentioned in the fifth paragraph of this letter might be at once withdrawn, for they perform the mere duties of watchmen, and their places supplied by men from the Calcutta Police.

13. It appears to me that the Posts held by the Military Police in Calcutta, noted in the margin, might be

	Number of Guard	Sentries by day.	Sentries by night
Custom House	37	7	7
Supreme Court	15	2	2
Post Office	9	1	1
Stamp Office	5	1	1
Medical College	5	1	1
Calcutta Jail	24	6	6
House of Correction	35	6	6
<b>Total</b>	<b>125</b>	<b>24</b>	<b>24</b>
Mint - Day duty	80	25	1
<b>Total</b>	<b>104</b>	<b>49</b>	<b>25</b>

be as efficiently watched by men of the Calcutta Police; and by this transfer 181 men would return to their more legitimate duties—preserving peace in the Mofussil. What the annual expense of each Military Policeman is I cannot say, but

as one-fourth less men would be required by the substitution of the Civil Police, the arrangement would certainly be economical.

14. I would also bring to the notice of His Honor that there are several Treasuries in Calcutta with Burkundanz Guards, which in many cases might be dispensed with. The Commissariat Office, the Board of Revenue, and I believe others, are entirely Offices of Payment, and might dispense with such Guards altogether, if arrangements were made by them to keep an account with the Bank of Bengal, making all payments through that channel. The Municipal Commissioners, whose receipts and disbursements are about seven lacs of Rupees per annum, do not require any Guard beyond a Durwan, and if they can dispense with it, I see no reason why Government Establishments should not also. If large sums were to be kept for any length of time in any Public Office, application might be made to me for Police, and they would be charged according to the number of men supplied.

15. If these arrangements should be approved of, it would be necessary to increase considerably the Calcutta Police Force, but this increase would be paid for, not directly by the Government, but by the Establishment benefitted; and it is more than probable that the Heads of these Establishments, when obliged to pay in hard cash monthly for every man employed to watch, and who have very little idea that every Soldier costs Rupees 250 and every Military Policeman more than half that sum annually, would see the propriety of reducing the number of Guards below what it is at present. And I may add that the appointment of such additional Constables, to be at the charge of the persons requiring them, is provided for in Section XXI. of Act XIII. of 1836.

16. Finally, I have the honor to remark that I have considerable doubts as to the legality of Sepoys arresting persons for Civil offences in Calcutta. I am perfectly certain that Military Policemen have no legal authority whatever, and that therefore, leaving out the economy of the arrangement, the watching by trained Policemen, who can act in accordance with the Law, and are all under one control, must be more efficient than that of Soldiers or Military Police.

*Statement showing the Military Posts in Calcutta (outside Fort William,) which are held by the Regular Troops of the Army and the Bengal Police Battalions, with the strength of the Guard on each of those Posts, and the number of Sentries by day and by night.*

DETAIL OF GUARDS.	Subdars.	Jewandars.	Haridars.	Nalks.	Lums Nalks.	Tramwayer.	Sepoys.	Total.	No. of Sentries.		REMARKS.
									By day.	By night.	
Government House	1	0	3	3	0	2	48	57	12	1	Regular Troops.
Customs House	0	1	1	2	0	0	36	40	7	9	
Treasury Guard	1	0	4	1	0	0	80	85	16	20	
Mint Guard	0	0	1	1	0	0	12	14	3	3	
Presidency Pay-Office	0	0	1	1	0	0	18	18	2	1	
Guard	0	0	1	1	0	0	4	5	1	1	
In charge of Moulds	0	0	1	1	0	0	8	10	2	2	
Balloo Ghât	0	0	1	2	0	0	24	27	0	4	
Commissionariat Sheds	0	0	0	1	0	0	4	5	1	1	
Garrison Store-keepers	0	0	1	1	0	0	8	10	2	2	
Cattle Sheds	0	1	1	1	0	0	34	37	7	7	Bengal Police Battalions.
Custom House	0	0	1	1	0	0	8	10	2	2	
Supreme Court	0	0	1	1	0	0	4	5	1	1	
Post Office	0	0	0	1	0	0	4	5	1	1	
Stamp Office	0	0	0	1	0	0	4	5	1	1	
Medical College	0	0	0	1	0	0	4	5	1	1	
Calcutta Jail	0	1	1	1	0	0	24	28	6	4	
House of Correction	1	0	1	1	0	0	31	35	6	6	
Mint	1	0	0	1	0	0	52	59	27	1	
<b>Total</b>	<b>4</b>	<b>3</b>	<b>20</b>	<b>27</b>	<b>0</b>	<b>1</b>	<b>407</b>	<b>459</b>	<b>101</b>	<b>85</b>	

Huglai.

S. WAUCHOPE,

CALCUTTA POLICE OFFICE, } CHIEF MAGISTRATE of Police.  
(The 27th September 1855.)

PRINTED BY THOMAS JONES, AT THE BENGAL SECRETARIAT OFFICE

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# The Calcutta Gazette.

WEDNESDAY, OCTOBER 31, 1860.

## HOME DEPARTMENT.

No. 2072.

Fort William, the 20th October 1860.

*Notification.*—Under Section CCXLVI. Act XXXII. of 1860, the Governor General in Council is pleased to prescribe the following Form in substitution of the Form No. XI., published in the *Calcutta Gazette* of the 15th, 18th, and 22nd August 1860:—

Form No. 11.

## INCOME TAX.

For the year ending 31st July 1861.

LIST OF LODGERS, INMATES, CLERKS, AND SERVANTS, UNDER ACT XXXII. OF 1860, SECTION XLII.

1.	2.	3.
Name and Residence of person making Return.	Name of any member of your family residing in your dwelling-house, who is in the receipt, in his or her own right, of Income or Profits liable to be assessed with duty under Act XXXII. of 1860.	Name of any adult person, residing in your dwelling-house not being a member of your family.  [ <i>Note.</i> —In this column will be included the name of any person in your service, and residing in your dwelling-house, whose yearly wages may amount to 200 Rupees and upwards. The amount of the wages of such servant should also be stated.]

**FOREIGN DEPARTMENT.**

No. 5107.

*Fort William, the 30th October 1860.*

Mr. Assistant Surgeon W. Spry held Medical charge of the Mhair Regiment from the 1st November 1858 to 12th January 1859, both days inclusive.

No. 5108.

With reference to Notification No. 3190, dated 17th August last, the services of Lieutenant D. T. H. Sampson, late 20th Regiment Native Infantry, and Subaltern in the 1st Corps Mayne's Horse, are replaced at the disposal of the Military Department.

No. 5109.

The services of the under-mentioned Gentlemen of the Bombay Civil Service have been placed at the disposal of the Authorities specified opposite their names, *viz* :—

Mr. H. Burra	...	} For employment in the Punjab.
" H. Jacombe	..	
" T. M. Mason	...	} For employment in Oudh.
" J. W. S. Wyllie		
" W. Ramsay		} For employment in Nagpore.
" F. Maenaghten		

No. 5110.

Captain W. Osborne, C. B., Political Agent at Rewah, and Mr. C. B. Coles, his First Assistant, are appointed Special Assessors under Section XXXI. of Act No. XXXII. of 1860.

No. 5111.

The following Brigade Orders, issued by Colonel J. Travers, Commandant, Central India Horse, under date the 2nd instant, are confirmed :—

"Consequent on the departure of Lieutenant Bradford, Lieutenant Blair, Adjutant, 1st Corps, will act as 2nd in Command of the 1st Corps until further orders, in addition to his present duties.

"Lieutenant C. Martin, appointed 2nd in Command, 2nd Corps, Central India Horse, in General Order by the Governor General, No. 3992 of 8th September 1860, having arrived in Cantonments, will receive charge of the 2nd Corps from Lieutenant H. E. Wood, relieved from that Command."

A. R. YOUNG,

*Deputy Secy. to the Govt. of India.*

**FINANCIAL DEPARTMENT.**

No. 141.

*Service Message sent by Electric Telegraph.*

From Calcutta, Bengal, 29th October 1860.

From Financial Secretary.

To Lucknow.

To Chief Commissioner, Oude.

Your Telegram of yesterday received.

Ryots in temporarily-settled Estates are liable to Assessment under Rule 1 of Section XCIV. of the Income Tax Act, as "holders of lands paying Revenue direct to Government."

(Signed) C. H. LUSHINGTON,  
*Secy. to the Govt. of India.*

FORT WILLIAM;  
*Financial Department,*  
*The 29th October 1860.* }

No. 96.

ORDERED, that a copy of the above Message be published in the *Calcutta Gazette* for general information.

No. 97.

*Fort William, the 27th October 1860.*

Read the following :—

No. 103A.

FROM G. COOPER, Esq.,  
*Secy to the Govt., N. W. P.,*  
TO C. H. LUSHINGTON, Esq.,  
*Secy. to the Govt. of India,*  
*Financial Department, Fort William.*

*Dated Nynee Tal, the 12th October 1860.*

REVENUE.

*Income Tax.*

SIR,—UNDER the instruction conveyed in a letter from the Home Department No. 1867, dated 4th September last, I am desired to submit copies of a letter No. 137, dated 1st instant, from the Sudder Board of Revenue, North-Western Provinces, and of the reply thereto of this date, for the consideration of the Government of India in the Financial Department, and to request that the Lieutenant-Governor may be informed whether his ruling of the point referred by the Board is correct or not. The question is a doubtful one, and the Lieutenant-Governor is unwilling to put forth the general instruction which is required, until assured that his view has the concurrence of His Excellency the Governor General in Council.

2. It is desirable that all rulings on questions relating to the Income Tax Act should be made known to all Officers concerned in the execution of it; and the Lieutenant-Governor therefore desires me to submit his particular request that he

may be *always* favored with an expression of the views of the Government of India upon all correspondence which may be submitted for their consideration, in obedience to the Order conveyed in the letter No. 1867, dated 4th September, from the Home Department, above referred to.

I have, &c.,  
(Signed) G. COUPER,  
Secy. to the Govt., N. W. P.

(COPY.)

No. 187 of 1860.

FROM W. H. LOWE, Esq.,  
Secy. to the Sudder Board of Revenue, N. W. P.,  
TO G. COUPER, Esq.,  
Secy. to the Govt. of the N. W. P.  
Dated Allahabad, the 1st October 1860.

SEPARATE REVENUE DEPT.

SIR,—THE Officiating Collector of Allahabad having submitted to the Sudder Board of Revenue a question regarding the mode of assessing the Income Tax on Banking and Trading Firms having Branches in different Stations, I am directed to submit the case for the consideration and orders of the Hon'ble the Lieutenant-Governor, with the following remarks:—

2. The difficulty explained by Mr. Johnstone refers to Rule 42, Section XCVIII of the Act, and is based on a representation from the Chief Mahajuns of Allahabad that it will be impossible to give correct Returns of the profits of each Branch separately, as the accounts are all kept at the Head Station, and the Agents at the Out-stations cannot by any possible means render the Returns required by the Act at the places where they are located. In illustration he cites the case of a Firm, whose Head Office is at Allahabad, purchasing a quantity of Piece Goods through its Branch at Calcutta, and forwarding it for sale to another Branch at Agra. In this instance, to which Branch is "the profit or loss in the transaction to be credited? The purchase money was paid in Calcutta, and the proceeds of the sale received at Agra; but the profit or loss can only be ascertained by a reference to the books at Allahabad.

3. The Board are of opinion that the provisions in Rule 42, Section XCVIII. cannot be declared invariably applicable to Native Bankers who have Branch houses in different Districts. They believe that though in some instances the Branch Houses act in a double capacity, viz. partly as Agents of the Head Firm, and partly as independent Traders and Bankers, the account of profit and loss on the original transactions of each being made up separately. Yet in the generality of cases the Branches are simply Agents, and make up an annual yearly accounts of their independent transactions. In such the Branch transactions can only be regarded as transactions of the general Firm.

4. The Board would therefore recommend that Rule 42, Section XCVIII. of the Act, and Rule 48 of the Resolution, be held applicable only to Branches carrying on an independent trade or business, the accounts of which are made up and a balance of profit and loss struck independently of the accounts of any Head Firm.

5. Where, on the contrary, the account of all the transactions of the Branches of any Firm are regularly submitted to that Firm, and incorporated in their general calculation of profit and loss, such Branches should not be accounted separate trades or business under Rule 12, but integral parts of the general trade conducted by the Firm. In this case the Returns and Assessment would be by the Firm alone, not by its Agents. But the latter might be required to furnish a Return through the Assessor of the place where they reside, which would be sent to the Collector in whose jurisdiction the Head-Quarters of the business are. This would prevent the possibility of any Agency being overlooked.

6. In all cases the Gomashita Mooneeb or other Agent will of course deliver to his own Assessor a Return of all salaries, profits, or other gains made by him, either in connection with his Principal's Firm or otherwise.

I have, &c.,  
(Signed) W. H. LOWE,  
Secretary.

(True Copy)  
(Signed) J. D. SANDHORN,  
Offg. Under-Secy. to Govt., N. W. P.

(COPY.)  
No. 102A.

FROM G. COUPER, Esq.,  
Secy. to the Govt. of the N. W. P.,  
TO W. H. LOWE, Esq.,  
Secy. to the Sudder Board of Rev., N. W. P.  
Dated Nyaee Tut, the 12th October 1860.

REVENUE DEPARTMENT.

Income Tax.

SIR,—I am directed to acknowledge the receipt of your letter No. 187, dated the 1st instant, regarding the mode of Assessing the Income Tax on Banking and Trading Firms having Branches in different places.

2. The Mahajuns of Allahabad state that, all the accounts being kept at the Head Office of the Firm, it will be impossible to deliver correct Returns of the profits accruing at each of the Branches, as required by Rule 12, Section XCVIII. of the Income Tax Act. And the Board, believing that, "in the generality of cases, the Branches are simply Agents, and make up no separate yearly accounts of their independent transactions," recommend that the rule above cited shall be "held applicable only to Branches carrying on an independent trade or business."

3. The Lieutenant-Governor is inclined to think that there is no necessity for putting forth the declaration which the Board advise.

4. In these cases, in which the Branches of Banking or Trading Firms carry on an independent

dent business, and a balance of profit and loss is struck independently of the accounts of any Head Firm, the Returns of actual profits can of course be delivered without any difficulty to the Collector acting for the place where the Branch is established, and he will make the assessment.

5. In the other case of Branches whose accounts are incorporated in those of the Head Office, and in the general calculation of profit and loss made in that Office, the Returns would still be given in to the Assessor of the place where the Branch business is carried on, according to the Form No. 7, Part II.; and in its 5th Column there would presumably be no entry of profits, but a remark that the balance of profit and loss is struck at the Head Office of the Firm at such a place. In such a case the Assessor might accept the fact, and refrain from computing the assessment altogether; or if he should act under Section XLVII. of the Act, and the Collector acting for the place where the Branch is established should make an assessment in the discretion vested in him by Section LII., the Head Firm will have no difficulty in proving that the profits returned by them include the profits derived from the transactions of the Branch, and in so obtaining relief from the double assessment under the provisions of Part XIV. of the Act.

6. Under this Rule a Firm having Branches by which a balance of profit and loss is not struck independently of the accounts at the Head Office, would be assessed on the whole of their profits for the year by the Collector acting for the place where the Head Office is situate, and there would be no such departure from the terms of the Law as the declaration advised by the Board would apparently involve. Rule 41 of Section XCIII. would seem to show that such is the intention of the Law, and this view is corroborated by the fact that Rule 42 contemplates the carrying on, by a person of the same trade or business in different places, and requires the Returns to be delivered and the assessment to be made in each of such places without any reservation as to separate trades or businesses.

7. The same result it seems would follow upon the course which the Board recommend. They state, in paragraph 5 of your letter, that the Agents of a Firm "might be required to furnish a Return through the Assessor of the place where they reside, which would be sent to the Collector in whose jurisdiction the Head-Quarters of the business are;" but if such Return exhibit profits chargeable to the duties under the Act, such Assessor would be bound, under the terms of the Law, to compute the duties himself, and to include the party making the Return in the Abstract which he is required by Section LI. to lay before the Collector acting for the place where the business is carried on; and the Collector similarly would be bound to make the assessment. On the other hand, if the Return exhibit no assessable profits, the result would be that set forth in paragraph 5 of this letter.

8. The Lieutenant-Governor does not see how, without a transgression of the Law, any other course than that above described can be followed. The same end is attained as that contemplated by the Board, though by different means.

9. Under a general instruction received, copy of this correspondence will be submitted to the Government of India, in the Financial Depart-

ment, for consideration and any further orders that may be necessary. The course of proceeding described in this letter will be followed until it be declared to be incorrect.

I have, &c.,

(Signed) G. COUPER,

Secy. to the Govt., N. W. P.

(True Copy)

(Signed) J. D. SANDFORD,

Offg. Under-Secy. to the Govt., N. W. P.

RESOLUTION.—The Governor General in Council approves of the ruling of the Lieutenant-Governor of the North-Western Provinces, as set forth in his letter No. 103 A., dated the 12th instant, to the Board of Revenue, in respect to the mode of assessing the Income Tax on Banking and Trading Firms having Branches in different places.

With reference to the request of the Lieutenant-Governor, contained in paragraph 2 of his Secretary's letter No. 103 A., dated the 12th instant, that he may be favored with an expression of the views of the Government of India upon all correspondence connected with the Income Tax which may be submitted to it for consideration and orders, the Governor General in Council resolves that all rulings connected with the Income Tax be hereafter published in the *Calcutta Gazette* for the information and guidance of all Officers concerned, and that those rulings which have not already been published be now published.

ORDER.—Ordered, that a copy of the above Resolution be forwarded to the Government of the North-Western Provinces, in reply to letter from that Government quoted above.

ORDERED also, that a copy of the Resolution, and of the letter from the Government of the North-Western Provinces, quoted above, and of its enclosures, be published in the *Calcutta Gazette*, for the information of the several Local Governments and Officers concerned.

By Order of the Governor General in Council,

C. HUGH JUSHINGTON,

Secy. to the Govt. of India.

No. 124 of 1860.

From W. H. LOWE, Esq.,

Secy., Sudder Board of Revenue, N. W. P.

To G. COUPER, Esq.,

Secy. to Govt., N. W. Provinces.

Dated Allahabad, the 25th Sept. 1860.

SEPARATE REVENUE DEPT.

SIR,—It has been brought to the notice of the Board by the Collector of Allahabad that the terms of Act XXXII. of 1860 impose a duty of 4 per cent. on every 10<sup>0</sup> Rupees of Income of whatever amount the Income may be, and that the power of granting exemption under Part XIII. is limited to the Collector, on proof being advanced before him that the Income of the applicant is below the prescribed limits.

2. It would seem to follow, from the letter of the Law, that Assessors must assess at 4 per cent., leaving the exemption to be proved and admitted before the Collector. This principle is supported



by the manner in which the Assessor's Forms 12, 13, and 17, have been prepared, the duties entered therein being 3 and 1 per cent., and not 2 per cent.

3. The Board would submit that a rule such as the above would be in itself absurd; it would multiply business to an enormous extent, without any advantage whatever; and it would produce misunderstanding on the part of the people, who would not understand the object of the Assessors rating them at a percentage higher than that laid down in the Law.

4. The Board have accordingly instructed the Collector of Allahabad that persons with incomes below 500 Rupees per annum are to be allowed to return themselves at the rate of 2 per cent., and that the Assessors are to admit the Assessment at 2 per cent. wherever they have no means for considering that an individual's income from all sources does not reach 500 per annum.

5. But as this ruling is an apparent contradiction to the letter of the Law, I am directed to report the subject for the consideration of the Hon'ble the Lieutenant-Governor.

I am, &c.,  
(Signed) W. H. Lowr,  
Secretary.

(COPIES.)

No. 98A of 1860.

FROM G. COUPER, Esq.,  
Secy. to Govt. of the N. W. Provinces,  
TO W. H. LOWR, Esq.,  
Secy., Sudder Board of Revenue,  
N. W. Provinces, Allahabad.  
Dated Nynce Tul, the 12th October 1860.

REVENUE DEPARTMENT.

Income Tax.

SIR,—I AM directed to acknowledge the receipt of your letter No. 124, dated 25th ultimo, in which you state that the Board have instructed the Collector of Allahabad that persons having income below 500 Rupees must be allowed to return themselves at the rate of 2 per cent., even though, according to the terms of the Law, a duty of 3 per cent. and 1 per cent. is chargeable on every 100 Rupees of income of whatever amount the income may be.

2. It is correctly stated by the Board that, by the letter of the Law (Sections I. and III. Act XXXII. of 1860), the Tax is chargeable only at the rate of 3 and 1 per cent., no matter what the amount of income may be, and that every person having an income of less than 500 Rupees per annum is required by Section CXVII. to "prove" his title to exemption from a higher rate of duty than 2 per cent.

3. But the Lieutenant-Governor thinks that, in the spirit of the Law, the Returns made to the Special Notice, by a person returning his income at less than 500 Rupees per annum, must, if accepted by the Assessor and the Collector, be regarded as "proving, to the satisfaction of the Collector," that the person making the return is entitled to be assessed at the lower rate of 2 per cent. allowed in such cases by Section CXVII. of the Act.

4. The Lieutenant-Governor cannot suppose that it was the intention of the Legislature, by Section CXVII. of the Act, to require that the Collector, though fully satisfied, from the Returns made by A, that A has an income of less than Rupees 500, should nevertheless assess A at the rate of 3 per cent. and 1 per cent., and should then call upon him to "prove" that "the aggregate amount of his profits or income," XX., "though amounting to 200 Rupees per annum, is less than Rupees 500 per annum."

5. It is certain, as observed by the Board, that such a rule would add enormously, and at the same time quite uselessly, to Official labor.

6. There is no question, it may be observed, of persons "returning themselves at 2 per cent." What the Special Notice requires is, that every person on whom it may be served shall make a Return of his profits or income in certain prescribed forms, and it rests with the Assessor to compute the duties, and with the Collector to make the final assessment in accordance with the Law. There is no obligation on the persons making the Returns to denote in any way the "rate" at which the duty will be chargeable.

7. Under general instructions to that effect, copies of this correspondence will be submitted for the consideration of the Government of India. Should the foregoing construction of the Law be accepted by the Government of India, it will be necessary to advise all Collectors and Officers in charge of Districts accordingly.

I have, &c.,  
(Signed) G. COUPER,  
Secy. to the Govt. of the N. W. P.

No. 99A.

REVENUE DEPARTMENT.

NORTH WESTERN PROVINCES.

Dated Nynce Tul, the 12th October 1860.

ORDER.—Ordered, that copies of the foregoing be forwarded to the Secretary to the Government of India in the Financial Department, with a request that this Government may be informed whether the construction of the Law contained in this correspondence is correct or not, and if not, that the true ruling may be communicated for guidance.

(Signed) J. D. SANDFORD,  
Offg. Under-Secy. to the Govt. of the N. W. P.

No. 98.

Port William, Financial Department,

The 26th October 1860.

The Lieutenant-Governor's construction of the Income Tax Act, contained in the correspondence that accompanies Docket No. 99A., dated 12th instant, appears to the Governor General in Council to be correct.

ORDERED, that a copy be sent to the Government of the North-Western Provinces.

ORDERED also, that the above be published in the Calcutta Gazette for general information.

By Order of the Governor General in Council,

C. HUGH LUSHINGTON,  
Secy. to the Govt. of India.

# MILITARY DEPARTMENT.

Fort William, the 29th October 1860.

No. 1063 of 1860.—The under-mentioned Officers are, at their own request, transferred to the Corps specified :—

Ensign Charles John Farquharson, of the 45th Native Infantry	} To the 50th Regiment Native Infantry try.
Ensign Ernest Wolseley de Lousada, of the 69th Native Infantry	
Ensign Stuart Colquhoun MacTier, of the 24th Native Infantry	} To the 61th Regiment Native Infantry try.

## PROMOTIONS.

To be Lieutenants to fill existing Vacancies.

50th Native Infantry, Ensign Charles John Farquharson.

11th Native Infantry, Ensign Ernest Wolseley de Lousada.

64th Native Infantry, Ensign Stuart Colquhoun MacTier.

Fort William, the 30th October 1860.

No. 1064 of 1860.—The services of Lieutenant R. Ouseley, of the 48th Native Infantry, are placed at the disposal of the Foreign Department.

No. 1065 of 1860.—The under-mentioned Officer has reported his return from England :—

Date of Arrival at Bombay.

Lieutenant W. Davison, of the 1st European Bengal Fusiliers	} 10th October 1860.

No. 1066 of 1860.—The following Order, issued by the Resident at Hyderabad, is confirmed :—

No. 244 of 9th October 1860.—Confirming the Order by Captain Prescott, Commandant, 3rd Infantry, Hyderabad Contingent, dated 3rd October 1860, assuming charge of the Adjutant's Department from that date, consequent on the departure of Lieutenant Innes, Adjutant and Officiating Second in Command, 3rd Infantry, appointed Adjutant, 1th Cavalry, Hyderabad Contingent.

No. 1067 of 1860.—His Excellency the Governor General in Council is pleased to admit Naicks Casseeram, of the 3rd Company, and Shaikh Goolzar, of the 5th Company, 9th Battalion Artillery, to the 3rd Class of the Order of Merit, for their gallant conduct and excellent services with the late Major-General Sir H. Havelock's Force, on its advance on Cawnpore in 1857, and subsequent operations in the Garrison of Lucknow.

No. 1068 of 1860.—The following paragraphs of a Military Letter from the Right Hon'ble the Secretary of State for India, No. 255 of the 16th July 1860, are published for general information :—

Para. 15. It has been decided that the families

	Allowance to be made	DEDUCTION FOR TABLE MONEY.			
		Calcutta and Koorsee.	Madras.	Bombay.	
	£	£	£	£	s. d.
For each lady proceeding alone	100	30	27	10	28 15 0
For two or more ladies, each	50	20	27	10	28 15 0
For a lady and child	150	45	61	5	42 8 6
Additional for each other child	45	15	13	15	14 7 0
A child under 10 years of age proceeding alone	50	15	13	15	14 7 6

Children under one year of age are taken out without charge.

16. It is desirable, however, that all claims of this nature should be referred for my disposal in communication with the Quarter-Master General's Department.

No. 1069 of 1860.—His Excellency the Governor General in Council is pleased to direct that Subsistence Money and Barrack accommodation shall be allowed, for a period not exceeding six months to all Soldiers' wives and children who from any cause find, on their arrival in India, that they have no claim to the ordinary pay and privileges of Soldiers' families; and in the case of the family of a Soldier who may die on Foreign Service, the period of six months shall be held to commence from the date on which his family may be made acquainted with his decease.

No. 1070 of 1860.—Lieutenant Charles Leonard Money, of the 1th European Regiment, is permitted to resign the Service from the 1st proximo.

No. 1071 of 1860.—The under-mentioned Officers are permitted to proceed to Europe, on leave of absence, on Sick Certificate :—

Captain and Brevet Lieutenant-Colonel Henry Frederick Dunsford, c. b., of the 59th Native Infantry, Commandant of the 20th Punjab Infantry	} For fifteen months, under the new Regulations.
Lieutenant Alexander Hervey Blackwood Bruce, of the 43rd Native Infantry, Executive Engineer, 4th Division, Grand Trunk Road	
Lieutenant Charles James Durand, of the 14th Regiment Native Infantry.	} For two years, under the old Regulations.
	} For fifteen months, under the new Regulations.

R. J. H. BRACE, Major-Genl.,  
Secy. to the Govt. of India.

**ORDERS by the LIEUTENANT-GOVERNOR of BENGAL.**

No. 5656.

**APPOINTMENTS.**—*The 18th October 1860.*—Mr. F. T. Platts, Deputy Magistrate and Deputy Collector of Kurrumpore, is vested with the full powers of a Magistrate in Nuddea and Moorshebad.

The following Gentlemen to be Assessors and Deputy Collectors, under Act XXXII. of 1860, in the Districts mentioned, viz.:—

*In Mynensing.*

Baboo Brismub Churn Doss.  
 „ Nundo Coomar Bose.  
 „ Hurree Kishore Roy.  
 „ Kallynauth Ghose.  
 Kistno Chandro Sandyal.

*The 19th October 1860.*

*In Silhasgur.*

Mr. J. Thornton.  
 „ J. W. Masters.

*In Cuttack.*

Baboo Suddanund Jacheek.  
 „ Koilas Chunder Ghose.  
 Sheikh Roshun Mahomed.

*In Balasore.*

Baboo Suddanund Pal.  
 „ Uttul Beharee Pal.

The following Gentlemen to be Members of the Ferry Fund Committee at Sarun:—

Mr. J. W. Furrell.  
 „ J. Stalkart.  
 „ L. M. Macdonald.

The following Gentlemen to be Deputy Magistrates under Act XV. of 1843, and Deputy Collectors under Regulation IX. of 1833, and to exercise respectively the powers of a Covenanted Assistant to a Magistrate, under Regulations XIII. of 1797 and IX. of 1807, in the Districts named opposite to each, viz.:—

Mr. D. W. Ritchie in Dacca.

*The 20th October 1860.*

Mr. R. T. Sevestre in the 24-Pergunnahs.  
 „ John Bell in Jessore.  
 Moulavy Mohommed Ulli in Midnapore.

The following Gentlemen to be Assessors and Deputy Collectors, under Act XXXII. of 1860, in the Districts mentioned, viz.:—

*In Moorshebad.*

Baboo Poolin Beharry Sen.  
 „ Rajkissen Sen.

*In Rajshahye.*

Baboo Shevapershah Sandial.  
 „ Muthooranauth Bannerjee.

*In Bograh.*

Baboo Issurchunder Sen.  
 „ Brijokant Roy.

*In Malda.*

Mr. A. Blandford.  
 Baboo Nobin Chunder Bhoomick.

*In Pubna.*

Mr. G. O'Gorman.  
 Baboo Gobind Chunder Joarder.  
 Syud Mofazzul Hossein.

*In Midnapore.*

Baboo Kalikanund Rai.

*The 20th October 1860.*—Mr. J. Elliot, M. D., to officiate as Civil Assistant Surgeon of Nuddea.

*The 31st October 1860.*—Mr. J. Forlong to be a Member of and Secretary to the Board of Commissioners, under Act XXXII. of 1860, for the Presidency Town of Calcutta.

**LEAVE OF ABSENCE.**—*The 15th October 1860.*—

Mr. W. C. Grant, Deputy Magistrate and Deputy Collector of Hooghly, from the 15th instant to the 30th November next, under Clause 1, Section VII. of the Uncovenanted Absentee Rules.

*The 19th October 1860.*—Baboo Sreenauth Mookerjee, Sub-Assistant Surgeon of Noreully, for two months on Medical Certificate, under Clause 2, Section V. of the Uncovenanted Absentee Rules.

*The 20th October 1860.*—Baboo Dumree Tewarry, Sub-Assistant Surgeon of Nowgong, for three months, under Clause 1, Section VII. of the Uncovenanted Absentee Rules, making over charge of the Medical duties of the Station to the Native Doctor Seedassar.

Baboo Kowlash Chunder Dutt, Sub-Assistant Surgeon of Barrisaul, for seven weeks, under Clause 1, Section VII. of the Uncovenanted Absentee Rules, making over charge of the duties of the Dispensary to the Native Doctor.

**NOTIFICATION.**—*The 20th October 1860.*—The leave granted to Mr. T. Tweedie, Deputy Magistrate and Deputy Collector of Jessore, on the 31st August last, is cancelled at his request.

The leave granted to Syud Sakhawut Hossein, Additional Principal Sudder Ameen of Hooghly, on the 15th instant, is cancelled at his request.

W. S. SETON-KARR,

Offg. Secy. to the Govt. of Bengal.

**Public Works Department,—Bengal.**

No. 4330.

**APPOINTMENTS.**—*The 19th October 1860.*—Overseer T. O. Hunt is posted to the Circular and Eastern Canals' Division. This cancels the Orders of the 14th instant, published in the *Gazette* of the 6th idem, page No. 2125, transferring Overseer Hunt from the Dinapore to the Nuddea Rivers' Division.

*The 20th October 1860.*—Probationary Assistant Overseer Serjeant H. Beck is transferred from the Pooree to the Cuttack Division.

*The 22nd October 1860.*—Overseer Serjeant P. Robson, who was transferred under the Notification of the Government of India, in the Public Works Department, No. 111 of 14th June last, from Pegu to the North-Western Provinces, is placed temporarily under the orders of the Garrison Engineer of Fort William.

C. B. YOUNG, Lieut.-Colonel,

Secy. to the Govt. of Bengal,

in the Public Works Dept.

**ORDERS by the LIEUTENANT-GOVERNOR, N. W. Provinces.**

**JUDICIAL DEPARTMENT.**

No. 2641A.

*Camp Nynce Tal, the 10th October 1860.*

Mr. T. B. Tracey, Assistant to the Magistrate and Collector of Cawnpore, is, as a special case, vested with the full powers of a Joint Magistrate and Deputy Collector.

Mr. E. J. Robertson, Assistant to the Magistrate and Collector of Cawnpore, is likewise vested with the same powers, subject to the result of the prescribed Examination in April 1861.

No. 2647A.

It has been brought to the notice of Government that Commanding Officers of the Military Police are in the habit of forwarding to the District Authorities Petitions presented by their men on unstamped paper, and under their frank, as on the Public Service.

Persons, whether Officers or Men, belonging to the Military Police, are not exempt from the obligation to engross such Petitions as they may have to present on Stamped paper of the required value, and all Magistrates and Collectors and other Officers of the Government are hereby directed, on receiving such Petitions, to return them to the Sender, with an intimation that no such Petitions can be attended to unless engrossed on Stamped paper of the required value.

If any such Petitions should be received by any Magistrate or Collector or other Officer of the Government under the frank of an Officer of the Military Police, as "on Her Majesty's Service," it will be the duty of such Magistrate or Collector to transmit the cover to the Post-Master General, North-Western Provinces, in order that steps may be taken at once to recover from the Sender the penalty which the Post Office Act No. XVII. of 1854 attaches to this abuse of a privilege, conceded to the Officers of the Government for the furtherance of the Public Service.

No. 2655A.

*The 11th October 1860.*

Under the provisions of Act III. of 1850, the Hon'ble the Lieutenant-Governor is pleased to invest Captain J. T. Watson, Officiating Cantonment Joint Magistrate of Shajehanpore, with Civil jurisdiction, as set forth in Section I. of the said Act, within the limits of his Criminal jurisdiction; and also to appoint the said Captain J. T. Watson to be Register of Deeds within the same limits.

No. 2657A.

Captain J. T. Watson, Officiating Cantonment Joint Magistrate of Shajehanpore, having been vested with Civil jurisdiction and appointed to be Register of Deeds under Act III. of 1859, within the limits of his Criminal jurisdiction, it is hereby notified that the said Officer will accordingly exercise Civil jurisdiction and act as Register of Deeds within the said limits from and after this date.

Under the provisions of Section IX. Act III. of 1859, the powers of the Register of Deeds of the

District of Shajehanpore will be suspended from and after this date within the limits of the Shajehanpore Cantonments.

No. 2690A.

*The 13th October 1860.*

Leave of Absence for fifty days, under Section VIII. of the Rules for Uncovenanted Officers, is granted to Pandit Ram Nath, Hindoo Law Officer of the Sudder Court, from the date on which he may avail himself of the same.

No. 2694A.

Leave of Absence for eight weeks is granted to Lieutenant C. V. Gordon, Officiating Deputy Commissioner of Dumoh, from the date on which he may avail himself of the same, preparatory to his applying for Furlough to Europe on Medical Certificate.

No. 2695A.

Lieutenant F. J. M. Hog, Assistant Commissioner of Jubbulpore, is appointed to officiate as Deputy Commissioner of Dumoh, as a temporary arrangement.

No. 2696A.

Lieutenant M. P. Ricketts, Extra Assistant Commissioner of Hoshungabad, is transferred to Jubbulpore, as a temporary arrangement.

No. 2712A.

*The 22nd October 1860.*

Mr. H. D. Robertson, Joint Magistrate and Deputy Collector of the First Grade, who reported his return to India from leave on the 28th ultimo, is posted to the District of Furruckabad.

**REVENUE DEPARTMENT.**

No. 92A.

*Camp Nynce Tal, the 9th October 1860.*

The following Officers are entrusted with the duties of Assessors under Section XXI. Act XXVII. of 1860, in the parts of the Banda District, specified opposite to their names respectively:—

Mr. C. Crosthwaite, Assis- } In the Pergunnahs of  
tant to the Collector } Banda and Pylance, the  
of Banda ... } City of Banda excepted.

Mr. N. Parsick, Deputy } In the City of Banda.  
Collector of Banda ... }

Ahmed Hossain Khan, } In Pergunnahs  
Deputy Collector of } Seonda, Bhndousa, and  
Banda ... } Aogassae.

No. 93A.

Allee Sujjad, Tehseldar of Kurra, in the District of Allahabad, is appointed to be an Extra Deputy Collector, for the purpose of Act XXXII. of 1860, in the District of Banda, and will perform the duties of Assessor in Pergunnahs Kumasin, Firahau and Chibboo of that District.

No. 1416A.

*The 10th October 1860.*

Leave of absence for six months, under Section VIII. of the Uncovenanted Rules, is granted to Moonshee Mohamed Fyzooddeen, Deputy Collector of Allypore, from the date on which he may avail himself of the same.

No. 109A.  
The 18th October 1860.

The following Officers of the Government are appointed to be Assessors, under Act XXXII. of 1860, in the District of Budaon, within the Circles specified opposite to their names:—

Moonshee Nitanund, Tehseeldar	In the City of Budaon, and Pergunnahs of Budaon and Oojhance.
Abdoollah Khan, Tehseeldar	In the Pergunnahs of Bisowlia Sutosee, Islamnugger, Rajpooora and Asadpooor.
Lalla Dyah Narain, Tehseeldar	In the Pergunnahs of Suheswan and Koto.

No. 110A.

The Tehseeldars of the District of Budaon are appointed to be ex-officio Assessors, under Act XXXII. of 1860, in respect of profits arising from land.

No. 119A.

The under-mentioned Officers of the Government, in the District of Ghazee-poor, are appointed to be Assessors, under Act XXXII. of 1860, within the Tehseel Circles, specified opposite their names:—

Shunkur Dyal Paury...	Tehseeldar in the Huzoor Tehseel.
Mohomed Shuffee	Tehseeldar in the Syudpooor Tehseel.
Ramgholam Sing	Tehseeldar in the Bullesh Tehseel.
Sheikh Amjad Hoosein	Tehseeldar in the Zumanee Tehseel.
Falswand Pershaud	Tehseeldar in the Rusrah Tehseel.
Mohomed Juwad	Tehseeldar in the Mohomedabad Tehseel.

No. 123A.  
The 15th October 1860.

Captain A. S. Allen, Cantonment Joint Magistrate of Cawnpore, is appointed an Assessor, under Act XXXII. of 1860, within the limits of the Cantonments at that Station.

No. 129A.

The following Officers of the Government are appointed to be Assessors, under Act XXXII. of 1860, in the District of Shahjehanpooor, within the places mentioned opposite to their names, viz.:—

Amjad Allee, Tehseeldar..	In the Tehseel of Shahjehanpooor.
Kasim Hussun Khan, Tehseeldar	In the Tehseel of Powayn.
Ahmed Hoosein, Tehseeldar	In the Tehseel of Tilhur.
Kanhya Lall, Tehseeldar...	In the Tehseel of Jullalabad.

No. 130A.

Hoosein Bukah is appointed to be Assessor, under Act XXXII. of 1860, in the City of Shahjehanpooor.

No. 134A.

Moonshee Benoo Shunkur, Tehseeldar in the District of Mirzapoor, is appointed to act as Extra Deputy Collector, for the purposes of Act XXXII.

of 1860, and will perform the duties of Assessor in the Huzoor Tehseel of that District.

No. 135A.

Moonshee Gungapershaud, the Principal Sadler Ameen of the Maharajah of Benares, is appointed to act as an Extra Deputy Collector, for the purposes of Act XXXII. of 1860, in Pergunnah Bhudoe of the Mirzapoor District.

No. 136A.

The under-mentioned are appointed to be Assessors under Act XXXII. of 1860, in the District of Mirzapoor, for the Circles specified opposite their names:—

Ajoodhya Pershaud, Moonsiff, and Kasheemuth Doo-	In the City of Mirzapoor.
Moonshee Noor Ally, Tehseeldar	In the Tehseel of Chunar.
Moonshee Bisheshur Dyal, Tehseeldar	In the Pergunnahs Agoree Burrehur and Byjegurh.
Kazee Ally Hoosein, and Moulvie Dowlut Ally, Tehseeldar of Maharajah of Benares	In the Pergunnah Bhudoe.

SEPARATE REVENUE DEPARTMENT.

No. 817.

Camp Nynce Tal, the 20th October 1860.

1. The Hon'ble the Lieutenant-Governor of the North-Western Provinces having been pleased to sanction a change in the direction of a portion of the Special Customs Line, it is hereby declared that, from and after the publication of this Notification, the Customs Line will run from the Town of Powair in the Azimgurh District, in a direct Line to Garghat on the Gogra.

2. The following is a list of the open and closed Posts established on this Line:—Open Posts Powair, Jalalpoore, and Phoolpoore; closed Posts Sonahun Tundwa, Buskharee, Kuchowcha, Hooseinpoore, Patheepoor, Yaseengurh, Mithoo-poor, Bhuro Chukree, Guddoopoor and Barhlabar.

3. Customs jurisdiction in the Province of Oudh will extend one mile to the Westward and five miles to the Eastward of this portion of the line.

4. It is also hereby Notified, that the following open and closed Posts have been added to the Rewah Frontier Line, extending from Lourenee to Kutrapass or Drumnandgunje, where the Line will terminate:—Open Posts Kutrapass and Sembah; closed Posts commencing at Lourenee, twenty-four in number, will be placed at regular intervals by Sembah, Goubree and Pultance to the termination of Kutrapass, the number of the closed Posts will be from thirty-eight to sixty-one.

5. Customs jurisdiction on the extended Line will, in conformity with Rule III. Section I. of the Rules of the 10th of February 1844, comprehend a space of fifteen miles North of the Rewah Frontier.

GENERAL DEPARTMENT.

No. 1152A.

Camp Nynce Tal, the 12th October 1860.

The services of Dr. J. P. Walker, in charge of the Medical Depot at Allahabad, having been placed at the disposal of this Government, he is appointed to be Superintendent of the Government Press and Curator of Government Books.

No. 1157A.

Under the provision of Section II. Act XXXVI. of 1858, the Hon'ble the Lieutenant-Governor is pleased to appoint the under-mentioned Officers to be Visitors for the Lunatic Asylum of Benares:—

William Edwards, Esquire, Civil and Sessions Judge.

Dr. Gibbon, Superintending Surgeon of the Circle.

No. 1170A.

The 13th October 1860.

Dr. Ballantyne, Principal of the Benares College, having been appointed Librarian at the India House, the Hon'ble the Lieutenant-Governor is pleased to make the following appointments:—

Mr. Griffith, M. A., Head Master and Anglo-Sanskrit Professor, to be Principal of the Benares College.

Mr. Platts, Officiating Head Master of the Sanskrit School, to be Head Master of the Benares College.

The above appointments to have effect from the date on which the respective Officers may assume charge of their Offices.

No. 1175A.

The 15th October 1860.

The Reverend E. J. Hubbard, Chaplain of Jounpore and Azimgurh, is appointed to be Chaplain of Ghazeepeer.

FINANCIAL DEPARTMENT.

No. 1158A.

Camp Nyaee Tal, the 13th October 1860.

The manufacture of Scales and Weights for the use of the Civil and Military Officers of the North-Western Provinces and the Punjab having been

transferred from the Mint at Calcutta to the Roorkee Workshops, it is hereby Notified that Officers requiring the above articles should in future indent on the Superintendent of the Roorkee Workshops for the same.

By Order of the Hon'ble the Lieutenant-Governor, North-Western Provinces,

G. E. W. COOPER,  
Secy. to Govt., N. W. P.

# NOTIFICATIONS.

MILITARY DEPARTMENT.

No. 880A.

Camp Nyaee Tal, the 16th October 1860.

The services of Brevet Captain F. A. Sage Commandant of the Shahjehanpore Battalion of Military Police, are replaced at the disposal of the Government of India, in the Military Department, from the date on which he may be relieved from his present duties.

Lieutenant G. L. Smith, Officiating Commandant of the Allypore Battalion, and Adjutant of the Shahjehanpore Battalion, is appointed to officiate as Commandant, *vice* Brevet Captain F. A. Sage.

Lieutenant R. B. Graham, the Adjutant of the Meerut Division of Military Police, is directed to proceed to Allypore, and officiate as Commandant of the Battalion, as a temporary arrangement, until relieved by Captain C. T. Hallett.

Mr. Williams, the Adjutant of the Seharimpore Battalion, is appointed to perform the duties of the Office of the Divisional Adjutant at Meerut, as a temporary arrangement, during the absence of Lieutenant R. B. Graham.

No. 881A.

The services of the under-mentioned Non-Commissioned Officers, attached to the Military Police of these Provinces, are replaced at the disposal of His Excellency the Commander-in-Chief:—

1	William Brinkworth ...	Serjeant Major, Budaon Battalion ...	Serjeant Major of the late 74th Native Infantry.
2	Thomas Campion	Ditto ditto, Bijnour ditto ...	Serjeant Major of the late 6th Regiment Gwalior Contingent.
3	Robert Christian ...	Ditto ditto, Bareilly ditto ...	Serjeant Major of the late 5th Regiment Gwalior Contingent.
4	George Belcham ...	Ditto ditto, Moradabad ditto ...	Serjeant Major of the late 15th Native Infantry.
5	Thomas Miller ...	Gr. Mr. Serjt., Bareilly ditto ...	Quarter Master Serjeant of the late 5th Regiment Gwalior Contingent.
6	Arthur Foy ..	Ditto ditto, Goruckpore ditto ...	Quarter Master Serjeant of the late 1st Oudh Local Infantry.
7	William Few ...	Ditto ditto, Meerut ditto ...	Band Serjeant of the late 11th Native Infantry.

No. 885A.

The leave of absence for one month, from 1st to the 31st of this month, granted to Mr. R. Gibson, Adjutant of the Baiteol District Battalion of Military Police, by Notification No. 731A, dated the 20th of August last, is hereby cancelled.

No. 888A.

The latter part of Notification No. 797A., dated 14th ultimo, is hereby cancelled, and the following Order is substituted:—

Captain G. A. Harrison, the Second in Command of the Jubbulpore Division, Military Police, will proceed without delay, and take temporary charge of the Seonee Battalion, until further orders.

By Order of the Hon'ble the Lieutenant-Governor, North-Western Provinces,

O. M. GRUBB, Lieut.,  
Asst. Military Secy. to Govt., N. W. P.



**Opium Notification.**

Notice is hereby given, that the Eleventh Sale of Opium, the provision of 1858-59, will be held at the Exchange Hall, on Monday, the 5th November 1860, at 11 A. M., and will comprise 1,780 Chests, viz. :—

Behar Opium ... ..	1,270
Benares ditto ... ..	510

Total Chests ... 1,780

2. The general Conditions of the Sale now advertised will be the same as usual. They may be ascertained by reference to the Notification issued on the 12th November 1859, and published in the *Government and Exchange Gazette*, or on application at the Office of the Board of Revenue.

3. The latest dates for deposit and clearance will be the 10th and 20th November 1860, respectively, that is to say, no Sub-Treasurer's Receipts, Company's Paper, or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by purchasers at the Sale, will be received after 4 P. M. of Saturday, the 10th November 1860, and no Treasury Receipts in full payment of Lots will be accepted after 4 P. M. of Tuesday, the 20th November 1860.

4. In addition to the quantity above advertised for sale the following quantities, more or less, of Behar and Benares Opium of 1858-59, will be brought to sale in the present year, on or about the date specified below.

5. The Board however reserve to themselves the right of altering this date, should circumstances render it expedient to do so :—

	Behar about Chests.	Benares about Chests.	Total about Chests.
On or about Wednesday, 5th Dec. 1860.	1275	505	1780

By Order of the Board of Revenue,

ASHLEY EDEN,

Offg. Junior Secretary.

Fort William,  
The 1st October 1860. }

No. 1186.

Notice is hereby given, that 1,00,000 Maunds of Chilka Kurkutch Salt, deliverable from Ghat Meetakoonh in the Pooree Agency, is available for sale.

The Officiating Junior Secretary to the Board of Revenue is prepared to receive Tenders for the purchase of the above Salt, for which payment must be made, in the usual manner, into the General Treasury after acceptance of Tenders, at the rate of 330 Rupees per 100 Maunds.

By Order of the Board of Revenue,

A. EDEY,

Offg. Junior Secretary.

The 17th October 1860.

**Notification.**

OFFICERS in charge of Treasuries are requested to observe that, under instructions from the Government of India, Items of Receipt and Charge on account of the Income Tax are to be entered under a separate heading "Income Tax," instead of "Government of India," as before prescribed; and that the Tax is to be calculated according to the Table published in the *Calcutta Gazette* of the 13th instant, page 2172, which is to supersede that contained in this Office Circular No. 1056, dated 21st September 1860.

W. WATERFIELD,

Offg. Acctt. to the Govt. of Bengal.

FORT WILLIAM;

Office of Acctt., Govt. of Bengal, }  
The 18th October 1860.

**Notice.**

HINDOO HOLIDAYS IN NOVEMBER 1860.

1. The General Treasury will be closed on Monday the 12th, Tuesday the 13th, Wednesday the 14th, and Thursday the 15th November 1860, on account of the Hindoo Holidays, Kales Poojah, Bhatesdetch, and Kartic Poojah.

2. The General Treasury will be closed on Wednesday the 21st, and Thursday the 22nd November 1860, on account of the Hindoo Holidays, Juggobhattree Poojah.

J. I. HARVEY,

Sub-Treasurer.

GENERAL TREASURY, }  
The 16th October 1860.

**Income Tax Returns to Special Commissioner.**

ALL Returns intended for the Special Commissioner should be forwarded under Seal to the Assessor of the Division or District, with a request in writing that the same may be transmitted to the Special Commissioner.

The 12th October 1860.

Government Telegraph Department.

CALCUTTA, 19TH OCTOBER 1860.

The following alterations in the revised Rules of this Department, dated the 21st December 1859, have received the sanction of Government:—

*Sections previous to alteration.*      *Sections as now altered.*

XXXIX. Messages are sent "bearing" from Sea-ports when received by Mail Steamers or other Vessels for despatch and addressed to well-known houses or individuals, but the Messages are not to be delivered to the Addressee till payment is obtained.

XXXIX. Messages are sent bearing from Sea-ports when received by Mail Steamers or other Vessels for despatch and addressed to well-known firms or individuals, but no Message, whether paid or bearing, will be received for transmission from any Vessel until her name has been made known.

Bearing Messages will not be delivered to the Addressee till payment has been obtained.

XLII. Violation of Secrecy on the part of any Officer, Assistant, Clerk or Signaller, in the Telegraph Department, will be punished by dismissal from office, forfeiture of arrears of pay, and a declaration in the *Official Gazette* of the incapability of the delinquent to serve in any Official capacity.

XLII. Violation of Secrecy on the part of any person in the Department will be punished by dismissal from office, forfeiture of arrears of pay, and a declaration in the *Official Gazette* of the incapacity of the delinquent to serve the Government in any capacity.

It is a violation of Secrecy to mention the fact that any Message has been received or despatched by any particular person or firm.

C. DOUGLAS, Major,  
Offg. Dir.-Genl. of Tels. in India.

Notice.

It is hereby notified for general information, that Government has appointed the under-mentioned Treasuries, for the receipt of all Duties payable under Act XXXII. of 1860, within the jurisdiction of the Commissioners of Income Tax, for the Town and the Suburbs of Calcutta:—

1. Treasury of the Collector of Income Tax, No. 2, Church Lane.
2. Treasury of the Collector of the 24-Per-gunnahs.

A. GEORGE,  
President.

INCOME TAX OFFICE,  
The 6th October 1860. }

Garrison Order.

By Order of His Excellency the Commander-in-Chief, on and after the 1st proximo, the Water and Phassey Gates will be closed from Evening Gunfire till daylight.

The remaining Gates will be open for entrance and exit during the night.

By Order,  
FITZROY FREMANTLE, Lt. & Capt.,  
Brigade Major.

FORT WILLIAM,  
The 27th October 1860. }

Notice

Is hereby given, that the Titalyah Annual Fair will commence on the 20th February 1861.

A. G. MACDONALD,  
Magistrate.

Nudda Rivers.

BI-WEEKLY Water Report, showing the least Depth of Water in the Bhagirattee River, from 20th to 23rd October 1860.

NAMES OF PLACES, &c.	Least Depth of Water.	Remarks.
Above its Entrance in Ganges ...	Ft. In. 16 0	The Works for the new Entrance to the Bhagirattee have formed a Channel.
On the Entrance Bar .	3 9	This River will it is expected to open throughout the dry season.
From thence to Jungypore, 13½ Miles ...	4 0	The Upper Matabanah will be kept open also.
From Jungypore to Berhampore, 46 Miles ..	7 0	The Lower River at Hat Bolah is however a very bad order.
From Berhampore to Cutwa, 50 Miles ...	6 6	Least depth in Jeltinghee River } ft. in. Least depth in Lower Matabanah } 3 9
And from Cutwa to Nudda, 46 Miles ...	■ 6	Least depth in Upper Matabanah } Least depth in Upper Matabanah } 15 6

Height of water on Gauge at Berhampore on the 22nd October 1860, plus 9 feet ■ inches.

T. N. ARMSTRONG, C. E.,  
Supt., Nudda Rivers.

The 25th October 1860.

# ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to the several Khas Mehals situated in the District of Balasore, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board dated 18th September 1860, in the Balasore Collectorate, on Thursday, the 8th November 1860, corresponding with the 25th Kartick 1268 Unkee, at 12 a. m. The purchaser of such Mehals will be subject to the Conditions laid down below :—

## CONDITIONS OF SALE.

- 1st.—Estates to be sold, with the Sudder Jummah entered against each below, to the highest bidder above the upset price.
- 2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have received Pottahs from the Settlement Officers.
- 3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.
- 4th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.
- 5th.—The Right of Government to all Minerals to be reserved :—

Number	Town's Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.
			B. G. B.	Rs. As. P.
1	1026	Putna Misturkoochur, Pergunnah Dasmullung	13 13 1	8 1 7
2	1027	Mouza Mudhoosoolampore, Pergunnah Noonk- bund	10 12 1	5 12 10

The farming lease of these Mehals will expire in 1866-67 = 1274 Unkee.

A. ELLIOT RUSSELL,  
Collector.

BALASORE,  
The 29th September 1860. }

# ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to a Khas Mehul, situated in the District of Poooree, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board of Revenue, No. 129, dated 18th September 1860, in the Poooree Collectorate, on Thursday, the 8th November 1860, corresponding with the 25th Kartick 1268 Unkee. The purchaser of such Mehul will be subject to the Conditions laid down below :—

## CONDITIONS OF SALE.

- 1st.—Estate to be sold to the highest bidder above the upset price.
- 2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchaser to be bound to respect the rights of resident cultivators who have received Pottahs from the Settling Officer.
- 3rd.—The present settlement of the Estate are liable to revision upon the expiry of the present lease.
- 4th.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.
- 5th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount

of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.

6/h.—The Right of Government to all Minerals to be reserved.

Number.	Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Half rental as Sudder Jumma.	Upset Price.	REMARKS.
1	56	Araze Lakheraj. Bazeaflee Monzi. Poursottampoor. Pergunnah Kotdes, &c.	M. G. B.  35 22 2½	  21 5 9	  250 0 0	

F. H. PELLEW,  
Offg. Collector.

SUB-DIVISION OF ZILLAH CUTTACK ;  
Poonce Collector's Office,  
The 1st October 1860. }

### ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zamindary Right of Government to the several Khas Mehals situated in the District of Tirhoot, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of Government, in the Tirhoot Collectorate, on Friday, the 16th November 1860, corresponding with the 18th Kartick 1268 F. S. The purchaser of such Mehals will be subject to the Conditions laid down below :—

#### CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummaabundee made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed Rupees 100, the whole amount is to be paid down at once.

4th.—When the amount of purchase money exceeds Rupees 100, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.

5/h.—The Right of Government to all Minerals to be reserved :—

Towjee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.
		B. C. D.	R. A. P.
1800	Khemam, Pergunnah Lonwan	367 17 7	150 0 0
2428	Pirree, Pergunnah Oghara	126 10 15	60 0 0
2920	Asawan, Pergunnah Suresa	406 13 4	203 13 2
4937	Khowna, Pergunnah Bhala	884 0 0	1,850 0 0
5047	Rabun, Pergunnah Burail	7 12 12	4 0 0
5200	Rowna Bulthee, Pergunnah Gurchawand	1,039 10 12½	1,405 0 0

T. BRUCE LANE,  
Offg. Collector.

TIRHOOT ;  
Collector's Office,  
The 6th October 1860. }

# ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to the under-mentioned Khas and Nonhad Mehal, situated in the District of Chittagong, and mentioned in the Statement hereto annexed, will be put up to Sale, under Orders of the Board of Revenue, dated 11th September 1860, No. 1177, in the Chittagong Collectorate on the 16th November 1860, corresponding with the Bengallee, dated 2nd Aghiran 1267 B. S. The purchaser of such Mehal will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

- 1st.—Estate to be sold, with the Sudder Jumma entered against it below, to the highest bidder above the upset price.
- 2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabundee made by the Revenue Authorities.
- 3rd.—A deposit of Rupees 25 per Cent. upon the amount bid will at once be made, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the 15th day after the Sale, reckoning the day of Sale as one.
- 4th.—The Right of Government to all Minerals to be reserved.—

Number.	Topography Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	Remarks.
		THANNAH BHATTACHARJEE, MORZAU SHITLIPORE, &c.				
1	61	Izrah Golah Bebee, &c.	D K G. C. 151 11 5 2	Rs. As. P. 758 7 6	Rs. As. P. 918 1 1	

T. D. WARD,

Offy. Collector.

CHITTAGONG COLLECTORATE, }  
The 5th October 1860.

## Notice

Is hereby given, that the Cachar Mela, or Annual Fair, will be held at Silchar, in Cachar, on the 30th and 31st December 1860, and the 1st, 2nd, and 3rd of January 1861.

Prizes will be given for the best specimens of Cattle, Raw Products, and Manufactures brought for Sale, a competent Committee being selected to determine the above.

Shops will be erected as heretofore for the convenience of Traders who may feel disposed to attend.

Races, Games, &c., open to all, will be held as usual, and a display of Fire-works take place.

N. B.—The last Mela was attended by a great concourse of people, and the results were so gratifying, as to encourage its continuance annually.

Many Buffaloes, Cows, Ponies, and Goods of all sorts and kinds were brought for sale, and readily disposed of.

J. F. SHIRER,  
Offy. Superintendent.

ZILLAH CACHAR,  
Superintendent's Office,  
The 16th July 1860.

## Cochin Light.

INFORMATION is hereby given, that the Light at Cochin, instead of being raised to a height of 114 feet as usual, on and after the 15th September, will continue to be displayed at the lower elevation of sixty-seven feet until further notice. It may not therefore be visible beyond eight or nine miles.

2. The Flag Staff being under repair, a smaller temporary Mast for signalling will be put up, which will not be seen at any great distance.

JOHN J. FRANKLIN,  
Supdt. of Marine.

MADRAS;  
Marine Supdt.'s Office,  
The 3rd September 1860.

# ADVERTISEMENT OF SALE.

NOTICE is hereby given, that the Zemindary Right of Government to the several Khas Mehals, situated in the District of Monghyr, and mentioned in the Statement hereunto annexed, will be put up to Sale, under Orders of the Board of Revenue, No. 120, dated 1st September 1860, addressed to the Commissioner of Revenue of the Bhagalpore Division, in the Monghyr Collectorate, on the 30th November 1860, corresponding with the Fashee date 2nd Aghur 1269. The purchaser of such Mehal will be subject to the Conditions laid down below:—

## CONDITIONS OF SALE.

1st.—Estates to be sold, with the Sudder Jummas entered against each below, to the highest bidders above the upset price.

2nd.—The Sale to be subject to existing leases, and to the right conferred by the settlement proceedings and laws in force, and purchasers to be bound to respect the rights of resident cultivators who have signed the Jummabandee made by the Revenue Authorities.

3rd.—When the amount of purchase money does not exceed 100 Rupees, the whole amount to be paid at once.

4th.—When the amount of purchase money exceeds 100 Rupees, a deposit to be at once made of Rupees 25 per Cent. upon the amount bid, the same to be forfeited to Government if the whole amount of purchase money be not paid by noon of the fifteenth day after the Sale, reckoning the day of Sale as one.

5th.—The Right of Government to all Minerals to be reserved.

W. H. HENDERSON,  
Collector.

MONGHYR COLLECTORATE, }  
The 10th October 1860. }

Serial Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	REMARKS.
3RD CLASS.					
1	2291 Arazie Muskun Ramnawaz, Zemadar, in Thannah Buthyah, Pergunnah Salemabad	0 15 0 0	2 0 0	2 0 0	
2	2531 Arazie Ammanut Sircar, in Thannah Roopowlee, Pergunnah Furkeeah	158 18 17 0	95 2 3	111 14 10	
3	2578 Beckahpoor, Pergunnah Monghyr	0 16 0 0	3 4 0	3 1 0	
4	2621 Gahlu, Thannah Rautan, Pergunnah Furkeeah	58 13 8 0	16 9 1	20 7 3	
5	2622 Arazie Ammanut Sircar, Thannah Rautan, Pergunnah Furkeeah	153 6 6 0	12 3 6	55 3 0	
6	2644 Arazie Ammanut Sircar, in Thannah Jaffah, Pergunnah Furkeeah	111 4 0 0	65 4 0	76 0 1	
7	2612 Invalid Jagheer of Shree Khan, Havildar, in Thannah Jaffarunge, Pergunnah Monghyr	33 10 0 0	22 0 0	25 8 0	
8	2611 Arazie Ammanut Sircar, in Thannah Purbatta, Pergunnah Furkeeah	11 1 11 0	5 4 0	9 8 6	
9	2615 Invalid Jagheer of Shewdial Sing, Naek, in Maheshietta, Thannah Rampoor, Pergunnah Salemabad	50 9 13 0	25 2 1	31 0 4	
10	2692 Arazie Ammanut Sircar, in Thannah Rajunpoor, Pergunnah Kulkhand	135 10 19 10	96 12 10	104 13 0	
11	2700 Invalid Jagheer of Bhuranny Sing, Naek, in Thannah Nurnar, Pergunnah Ooturkhund	25 9 14 0	16 0 0	16 0 0	
12	2701 Invalid Jagheer of Tikaram, Sepoy, in Thannah Subersah, Pergunnah Ooturkhund	30 0 0 0	10 0 0	10 0 0	
13	2708 Arazie Ammanut Sircar, in Thannah Subersah, Pergunnah Ooturkhund.	3 11 0 0	2 10 0	2 10 0	
14	2713 Arazie Ammanut Sircar, in Thannah Dhurharah, Pergunnah Monghyr...	5 8 6 0	3 5 0	4 5 3	
15	2715 Arazie Ammanut Sircar, in Thannah Arramnugur, Pergunnah Monghyr.	20 2 0 0	3 0 7	19 3 0	

Number.	Towhee Number.	Names of Mehals and Pergunnahs.	Area.	Sudder Jumma.	Upset Price.	REMARKS.
16	2763	Mannickpoor Serajoodinpoor, Pergunnah Monghyr	36 11 0 0	31 11 6	39 2 7	
17	2767	Invalid Jagheer of Moraud Ally, Subadar, in Thannah Bindrabun, Pergunnah Monghyr	98 11 4 0	55 1 5	68 3 11	
18	2825	Invalid Jagheer of Durgabee Khan, Sepoy, in Thannah Soolindabad, Pergunnah Ootuckhund	49 1 7 0	22 4 0	29 1 3	
19	3031	Arazie Ammanut Sircar, in Monzah Soorpo Chack, Thannah Rampoor, Pergunnah Salemabad	5 5 10 0	10 4 5	12 11 0	
20	3041 & 3047	Ammanut Sircar, in Thannah Soolindabad, Pergunnah Ootuckhund.	12 11 16 0	32 5 5	42 4 4	
21	3046	Arazie Ammanut Sircar, in Thannah Nuriar, Pergunnah Ootuckhund	1089 7 16 0	350 0 0	378 8 10	
22	3063	Line Thannah Rautan, Pergunnah Furkeeah	11 3 13 0	4 9 0	5 10 1	
23	3070	Amzie Girdline, Thannah Jaffrah, Pergunnah Furkeeah	26 2 7 0	12 11 7 1/2	15 14 10	
24	3071	Arazie Ammanut Sircar, in Belrah, Thannah Bindrabun, Pergunnah Monghyr	123 13 13 10	23 13 0	31 3 2	
25	3080	Arazie Ammanut Sircar, in Monzah Singhia, Thannah Dhurhurah Pergunnah Monghyr	12 10 10 0	13 2 3	16 3 6	
26	3082	Arazie Girdline, in Thannah Jaffrah-gunge, Pergunnah Monghyr	9 11 7 0	12 0 0	13 6 5 1/2	
27	3085	Amzie Girdline, in Thannah Porbutlah, Pergunnah Furkeeah	74 4 6 0	42 0 0	42 0 0	
28	3162	Invalid Jagheer of Nozan Bheesty, in Thannah Bindrabun, Pergunnah Monghyr	19 8 6 2	8 4 11	10 13 8	
29	3252	Ammanut Sircar, in Thannah Rajanpoor, Pergunnah Kubbhund	1 2 11 0	1 3 2	1 9 6	
30	3251	Ditto Ditto	35 3 16 0	19 5 0	23 14 5	
31	3256	Ditto Ditto	40 0 8 0	8 0 0	8 0 0	
32	3311	Invalid Jagheer of Alluf Khan, Subadar, in Thannah Bindrabun, Pergunnah Monghyr	193 19 0 0	50 2 8	77 5 1	

W. H. HENDERSON,  
Collector.

Sheriff's Office, the 13th October 1880.

Notice is hereby given, that a Sessions of Oyer and Terminer and Gaol Delivery, and also an Admiralty Sessions, will be holden by the Supreme Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, at the Court House in the Town of Calcutta, on Tuesday, the Fourth day of December next, at 12 o'clock at noon.

The Court will open on the first day of the Sessions at 12 o'clock at noon, and upon each succeeding day precisely at 11 o'clock in the forenoon, of which all persons are required to take notice.

C. H. BROWN,  
Sheriff.

বরিক আকিস ১৩ অক্টোবর ১৮৮০ খ্রিস্টাব্দ।

নমাজার বেওয়া বাইতেছে বৈ আগামি

১ ডিসেম্বর সন্ধ্যা ১৮৮০ খ্রিস্টাব্দ মহলবার

দুই প্রহরের সময় কলিকাতার কোর্ট উইলি-  
এমের এবং তাহার অন্তঃপাতি যে সকল  
স্থান তন্নিমিত্ত বঙ্গ দেশের কোর্ট উইলি-  
এমের সুপ্রিম কোর্ট আগল আদালত ঘরে  
ওয়েরটরমিনর এবং এডমাইরেলটি অর্থাৎ  
মহা সমুদ্র সম্পর্কীয় মোকদ্দমা নিষ্পত্তি  
জন্য এক সেশিয়ান অর্থাৎ মিছিল করি-  
বেন।

এই সেশিয়ান জতকাল পর্যন্ত বসিবেক  
তাহার প্রথম দিবস দুই প্রহরের সময় তা-  
হার পর প্রতি দিবস এগারো ঘণ্টার সময়  
বসিবেক এ বিবর সকলে ন্যরণ রাখুক।

C. H. BROWN,  
Sheriff.



**Bengal Printing Company, "Limited."**

NOTICE is hereby given, that the FOURTH CALL of Rupees (25) twenty-five per share, in this Company, is to be paid into the Agra and United Service Bank, "Limited," on or before Thursday, the 1st November 1860.

By Order of the Directors,  
A. G. ROUSSAC,  
Secretary.

9, HASTINGS' STREET, }  
The 1st Oct. 1860. }

**East India Coal Company, "Limited."**

*Transfer of Shares in India.*

NOTICE is hereby given, that in conformity with an Act passed in the Session of Parliament 1860, entitled "An Act for regulating the East India Coal Company Limited, and for making provisions with regard to the Capital and Shares of the Company, and for other purposes," transfers of Shares can be registered at the Company's Office in Calcutta. Under this arrangement the production of a Local Probate or Letter of Administration will, in the event of a Shareholder dying, be sufficient to transfer his Shares (if on the Calcutta Register) to his Executor or Administrator, without referring the matter to England. Shareholders can under the Act be registered either on the Indian or English Books; and in case of any Shareholder on the Indian Register wishing to transfer his Shares to the English Register, the requisite form prescribed for this purpose will be furnished to him on applying to the undersigned. The same form may be obtained at the Company's Offices, Gresham House, Old Broad Street, London, by any Shareholder on the English Register, who may be desirous of transferring his Shares to the Indian Books.

A. BOYLE,  
Agent

CALCUTTA, }  
The 13th October 1860. }

COPIES OF THE

**Report of the Indigo Commission.**

TOGETHER WITH

**The whole of the Evidence**

TAKEN BEFORE THE COMMISSION,

AND THE

APPENDICES, Nos. I., II., AND III.,

Can be had on application to the PRINTER of the Calcutta Gazette, Bengal Office, at 8 Rupees per copy.

**Notice.**

LOST OR DESTROYED, during the Mutiny, at Shahjehanpore, on or after the 31st day of May 1857, a 4 per Cent. Government Promissory Note, No. 45712 of 1854-55, dated 30th June 1854, for Company's Rupees 500, and standing in the name of the Collector of Shahjehanpore.

**Notice.**

THE following Table of Rates of Postage to be levied on Letters addressed to places in Italy is to be substituted for that circulated with the Notice published by the Director-General of the Post Office on the 14th July 1860 :—

ON LETTERS.	To Sardinia, Tuscany, Parma, Modena, and the Romagna.		To any other State in Italy.	
	Rs.	As. P.	Rs.	As. P.
Weighting less than $\frac{1}{4}$ of an ounce	0	5	4	0
More than $\frac{1}{4}$ and less than $\frac{1}{2}$ of an ounce	0	5	0	13
" " " " " of an ounce	0	13	6	0
" " " " " 1 ounce	1	9	0	0
" 1 oz but " 1 1 ounce	1	7	8	0

For Letters exceeding the weight given above, in the case of those addressed to Sardinia, &c., 2 annas 1 pie are to be added for every additional quarter of an ounce, in addition to 5 annas 4 pie for every additional ounce or fraction of an ounce. In the case of Letters addressed to States of Italy not under Sardinian Postal Rules, i. e. Sicily, Naples, Rome, and the Papal States, one anna and four pie are to be added for every additional quarter of an ounce, and one Rupee eight annas for every additional ounce or fraction of an ounce.

No change is made in the Rates applicable to Newspapers.

H. B. RIDDELL,  
Director-General of the Post Office  
of India.

SIMLA, }  
The 20th October 1860. }

**NOTICES issued by the  
POST-MASTER of CALCUTTA.**

No. 1832.

The 22nd October 1860.—MAIL PACKETS for the Overland Mail, which leaves Bombay on the 11th proximo, will be closed at this Office at 5 P. M. on Friday, the 2nd idem, *via* Marseilles only.

Letters and Papers, for transmission *via* Bombay, will be received up to 6 P. M. on every day prior to the 2nd, and Inland Postage to Bombay must be prepaid in Stamps on Letters sent by this opportunity to places in Egypt and to Countries in Foreign Europe *via* Trieste :—

*Rates of Postage.*

Under $\frac{1}{4}$ Ounce	Rs.	0	6	0
" $\frac{1}{4}$ "	"	0	8	0
" $\frac{1}{2}$ "	"	0	14	0
" 1 "	"	1	1	0

No. 1863.

The 30th October 1860.—The Overland Mail, per Steamer *Nubia*, will be closed on Thursday, the 8th proximo.

Letters for Madras, Ceylon, the Straits, China, Mauritius, and Australia, can be sent by this opportunity.

Postage.	Weight.	<i>Via</i> Marseilles.		<i>Via</i> Southampton.	
		Rs.	0	6	0
Under $\frac{1}{4}$ ounce	" $\frac{1}{4}$ "	0	8	0	
	" $\frac{1}{2}$ "	0	14	0	
	" 1 "	1	0	0	
	" 2 "	2	0	0	
				Rs.	0 4 0
					0 8 0
					1 0 0

No. 1843.

The 24th October 1860.—Notice is hereby given that the Mails for Akyab, Rangoon, and Moulmein, for transmission per Steamer *Governor Higginson*, will be closed at this Office on Thursday, the 1st November, at 6 P. M.

No. 1852.

The 27th October 1860.—The Public are informed that an Express Packet, to the extent of 200 ounces, will be sent to Bombay on Saturday, the 3rd November, and Letters will be received up to 6 P. M. of the same day.

Each Firm or Individual will be allowed to send Letters up to one ounce in weight, and the Express Postage must be paid in Cash at the Window, at

one Rupee for every  $\frac{1}{4}$  of an ounce, in addition to the Steamer Postage paid by Stamps.

No. 1867.

The 30th October 1860.—Notice is hereby given, that the Letters for the Overland Mail despatched from this Office up to the 18th instant, and the Express Mail of the 19th, were in time for the Steamer that left Bombay on the 28th idem.

No. 3267.

The 30th October 1860.—The Post-Master of Calcutta begs to inform the Public that the Bullock Team will be closed from this date till further notice for the despatch of Packages, in consequence of its being required for Troops.

**MEMORANDUM** showing the Date and Hour of Arrival at the Calcutta Post Office of the Mails which left England on the 26th of September 1860, and the time occupied in sorting the Letters and Papers for delivery.

Name of the Steamer.	Date and Hour at which the Mail Steamer anchored at Garden Reach.	Hour at which the Mails arrived at the General Post Office.	Hour at which the Window Delivery commenced.	Hour at which the Peons left Office.	Delivery.	No. of Boxes of Letters.			No. of Boxes of Newspapers and Books.		
						Southampton.	Marseilles.	Total.	Southampton.	Marseilles.	Total.
<i>Dangal</i>	29th October 1860, at 3 $\frac{1}{2}$ P. M.	4 $\frac{1}{2}$ P. M.	7 P. M.	7 $\frac{1}{2}$ P. M.	2 P. 30 M.	5	2	7	31	18	49
											7
										Total	56
										France	3
										Hong-Kong	1
										Singapore	1
										Sydney	1
										Ceylon	1
										Madras	8
										Malta	1 Bag.
										Gibraltar	1
										Alexandria	1
										Bagdad	1 Packet.
										Suez	1
										Aden	1
										Bombay	1
										Penang	1
										Australia	11
										Ditto	9 Bags
										Total	94

The 30th October 1860.



APPENDIX TO  
**The Calcutta Gazette.**

WEDNESDAY, OCTOBER 31, 1860.

**LAND SALE NOTICES.**

NOTICE is hereby given, under Section VI. Act XI. of 1859, that the under-mentioned Estate, in Zillah Tipperah, will be put up to public and unreserved Sale, at the Collector's Office of that District, on the 16th day of November 1860, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th day of September 1860 :—

*Class I.—Permanently-settled Estate.*

No. 1869.—Pergunnah Shampore, Mehal Nowah; recorded proprietor, Mr. G. H. Lamb; sudder jumma, rupees 806-11-9.

J. D. GORDON,  
*Officiating Collector.*

TIPPERAH;  
Collector's Office,  
The 2nd October 1860. }

NOTICE is hereby given, under Section VI. Act XI. of 1859, that the under-mentioned Estate, in Zillah Jessore, will be put up to public and unreserved Sale, at the Collector's Office of that District, on the 17th November 1860, for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th September 1860 :—

*Class I.—Permanently-settled Mehal.*

No. 326.—Kismut Donar and Ashan Nuggur, Pergunnah Emadpore; recorded proprietors, Hurchunder Ghose, Brozonath Ghose, Chundernath Ghose and Bishosheree Dasia; sudder jumma, rupees 536-15-4.

R. J. WIGRAM,  
*Offg. Collector.*

JESSORE COLLECTORATE,  
The 10th October 1860. }

NOTICE is hereby given, under Section VI. Act XI. of 1859, that the under-mentioned Estates, in Zillah Tirhoot, will be put up to public and unreserved Sale, for Arrears of Revenue, at the Collector's Office of that District, on Saturday, the 17th November 1860, or 19th Kartick 1268 F., for Arrears of Revenue and other demands, which, by the Regulations and Acts in force, are directed to be realized in the same manner as Arrears of Revenue due on the 28th September 1860 :—

*Class I.—Permanently-settled Estates.*

No. 39.—Mouzah Jownapore Khass, Pergunnah Balagutch; recorded proprietors, Wuzcer Lall, under guardianship of Jankee Coomar and others. The Right and Interest in the 11 annas' share of Wuzcer Lall only in this Mouzah is to be sold; sudder jumma, rupees 1,226-15-5.

No. 50.—Mouzahs Ramchunderpore, Mayda and Bhograjpore, Pergunnah Balagutch; recorded proprietors, Ragha Sing and others; sudder jumma, rupees 1,765-6-0.

No. 299.—Mouzah Kondlee Mujheeawan, Pergunnah Bhurwarrah; recorded proprietors, Manick Misser and others; sudder jumma, rupees 501-0-8.

No. 522.—Mouzah Hurdeeah, Pergunnah Busentrah; recorded proprietors, Nugoo Misser and others; sudder jumma, rupees 1,202-3-0.

No. 1113.—Mouzah Tulboares Huanagoodee, Pergunnah Gurchawund; recorded proprietors, Bihola Roy and others; sudder jumma, rupees 652-4-6. This Mohal is under Butwarrah, the Right and Interest only of Bihola Roy, Rambux Roy, Mohur Roy, Dookharun Roy, Tirkboobun Roy, Soobhan Roy, Annand Upal Sahaye, Rughoobun Sahaye, Shunkar Sahaye, Judoobund Sahaye, Narain Sahaye, Nundool Roy, Narandut Roy, Doorga Roy, Khadun Roy, Dooda Roy, Dawlut Roy, Hunnooman Shabuek, Indur Roy, Runnoo Roy, Bhaakee Roy, Hunnooman Roy, Jhumun Roy, Ruckhun Roy, Munooruth Roy, Jugroop Roy, Rowneek Roy, Gunesb Dutt Roy, Gosahes Roy, Bhaeah Roy, Prem Roy, Shunkar Roy, Thakoordial Singh, minor son of Dursein Roy, under the guardianship of Mussamut Peertee Cowar, Dhunmuttee Cowar, and Doorgakeejoy Sing, futher and guardian of Wooditnarin Sing, minor, Bheekaree Sing, Munbodd Sing, father and guardian of Mawah Lall Sing, minor, Beharee Sing, Mannoo Roy, Loobhun Roy, Mohun Roy, Issoree Roy, Koonja Roy, Gindharee Roy, Dhunnee Roy, Jhookha Roy, Mohunt Bhugoooban Doss, Bnjrungheehureelall Panday, Indur Roy, Rutton Roy, Phukun Roy, Defendants, are to be sold.

No. 1051.—Mouzah Bukhtarpore, Pergunnah Kusma; recorded proprietors, Bhoopnarain Sing and others; sudder jumma, rupees 572-8-3.

No. 3055.—Mouzah Shajahanpore Duree, Pergunnah Sureissa; recorded proprietors, Chukowree Roy and others; sudder jumma, rupees 577-8-7.

No. 3083.—Mouzah Kuleanpore Bomeya, Pergunnah Sureissa; recorded proprietor, Ameer Lall, applicant for Butwarrah; sudder jumma, rupees 5,018-10-10.

No. 3083.—Mouza Kuleanpore Bomeya, Pergunnah Sureissa; sudder jumma, rupees 5,018-10-10. This Talook is under Butwarrah, the Right and Interest only of the Defendant Proprietors, viz., Bundhoo Sing, Mawlee Sing, Chatterdhary Sing, Soodee Sing, Bheekdhury Sing, Doomah Sing, Kowar Chowdry, Ramechunder Chowdry, Jeetan Chowdry, Fugnera Roy, Shew Rain Roy, Gangapersaud, Randyal Jha, Hoolas Jha, Khukroo Jha, Bhyeah Ram Jha, Gholaub Jha, Kishnarain Jha, Ranjeet Jha, Munoo Sing, Runnoo Sing, Hirdaynarain Sing, Shewdial Sing, Hardhean Sing, Burrusah Sing, Govindu Sing, Rameand Sing, Rambux Sing, Sumoodee Sing, Purran Sing, Durran Sing, Ramgopaul Sing, Jowahir Lall, Gunesb Dutt, Burraj Sing, Boodhun Sing, Lallestram, Neeladoss, Munrunjun Doss, Sree Kishen Doss, Joylall Misser, Chooneelall Misser, Jyahnund Misser, Mooteelall Misser, Hurnarain, Shewnarin, Bundoo Jha, Gooropersaud Sing, Rambluroos Sing, Bhoopnarain Sing, Jankee Misserain, Kooldeppersaud, Sham Jha, Rithlall Chowdry, Choornam Chowdry, himself, and as heir of Singassur Dutt Chowdry, Mussmut Sooha Kowar, mother and guardian of Karee Chowdry, and Bancee Lall Chowdry orf Mukonee Chowdry, minor sons and heirs of the late Jugomohun Chowdry, Barun Dutt Chowdry, Muneest Chowdry, Ramsahaye Sing, and Mahtab Singh, Runglall Chowdry, minor son of Goondar Chowdry, deceased, Jootee Lall, Konjbeharree Lall orf Koonjo Lall, Musst. Seeraraun Kowar, Ramlall Roy, Ajudheer Roy, and Cossee Roy, Birja Roy, minors, under the guardianship of Musst. Ramcoomar, the mother, are to be sold.

No. 5201.—Mouzah Rownahulthee, Pergunnah Gurchawand; recorded proprietor, Roy Nundeeputh Mahtha Bahadoor; sudder jumma, rupees 1,405.

No. 5730.—Mouzah Mylee Tupawah, Pergunnah Puchee; recorded proprietors, Boodkishen Jha and others; sudder jumma, rupees 618-6-3.

No. 5751.—Mouzah Mahadeoputtee, Pergunnah Purheeharpore Mohowas; recorded proprietors, Rajah Rughoonundun Sing Bahadoor and others; sudder jumma, rupees 747-4.

T. BRUCE LANE,

*Officiating Collector.*

TIRHOOT;  
Collector's Office,  
The 18th October 1860. }



## SUPPLEMENT TO The Calcutta Gazette.

WEDNESDAY, OCTOBER 31, 1860.

### OFFICIAL PAPERS.

*A SUPPLEMENT to the GAZETTE will henceforward be published, weekly or twice a week, according to circumstances, containing such Official Papers and Information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.*

*Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately, on a payment of six Rupees per annum if delivered in Calcutta, or twelve Rupees if sent by post.*

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#### Public Works postponed or retarded for want of Funds.

##### PUBLIC WORKS DEPARTMENT.

No. 55.

*Port William, the 5th September 1860.*

TO THE RIGHT HON'BLE SIR CHARLES WOOD, BART.,  
G. C. B., SECRETARY OF STATE FOR INDIA.

SIR,—By paragraph 31 of our Despatch in the Home Department (Revenue), No. 24, dated 18th June last, regarding the Income Tax Bill, we conveyed to you our opinion regarding the necessity of levying the one per cent. Duties on Incomes in India for local purposes, in order to supply the Government with resources for the advancement of material improvements, the neglect of which would cause ultimately a deterioration in the Country and its Revenues, and the suspension of which entails immediate loss and inconvenience. In further support of that opinion, we now beg to submit herewith Returns of Projects for Public Works in India, retarded or postponed for want of funds at the present time. Although the number and variety of the Works may appear very great, yet it is to be remembered that *no petty operations* have been included in the Return, but only Works of a certain magnitude and importance, costing *each* one lakh of Rupees, or £10,000, and upwards. This last named sum is the minimum, and many of the Works mentioned will demand an expenditure of many lakhs each. Nor are these Works mere projects, which, however desirable intrinsically, cannot be undertaken for an indefinite period. But they are Works of a certain degree of urgency, for which Plans and Estimates are more or less complete; on many of which considerable sums have been already expended; and for the carrying on of which the several Governments and Local Governments have recommended

that specific sums should be appropriated during the two Official years, 1860-61 and 1861-62.

2. The general results of the Return may be thus recapitulated:—

Estimated cost of Works postponed or retarded as per Abstract framed in this Office	Rs. 7,83,11,149
Deduct work done in part of the same	" 2,51,50,409
Balance for which funds are required	Rs. 5,28,60,740
Add works not included—Wet Docks for Calcutta	Rs. 1,00,00,000
Add Cuttack Irrigation and Navigation as per Colonel Cotton's Estimate	" 1,30,00,000
Add some project less expensive than Colonel Cotton's for a Canal from Rajmahal to Calcutta	" 50,00,000
Add Public Offices in Calcutta	" 25,00,000
	30,50,000
Total	Rs. 9,34,60,740

The total estimated cost of all the Works, therefore, amounts to Rupees 10,58,11,149, or £10,881,115, that is nearly eleven millions sterling. Of this large aggregate, Rupees 2,54,50,409, or £2,545,040, that is two and a half millions sterling, have been already expended; so that there will remain Rupees 8,33,60,740, or £8,336,074, that is 8½ millions sterling, still required to be expended on these necessary Works, for which expenditure, however, funds are not at present available. The projects for the Works are upwards of one hundred in number. Of these, twenty-five relate to Irrigation and Navigation; forty-five to Communications, Roads, Bridges, and Tunnels; four projects relate to the Judicial Department; two to the Educational; and three to Sewerage, Drainage, and Water Supply. There are various projects of a miscellaneous character. Then

sixteen projects are Military, and two Naval or Marine. In all, then, there are only eighteen projects relating to the *defence* of the Country, out of a total of one hundred and six projects; leaving eighty-eight projects of a *Civil* character, relating to the internal improvement of the Country, the execution of which must lead to an augmentation of national resources, and the postponement of which must equally lead to loss, direct or indirect.

3. As already stated, all and each of these projects of Works must be considered as more or less of immediate importance. But as the number is so great, we can only select a few of the most important for special mention in this Despatch.

4. In the Provinces under the Lieutenant-Governor of Bengal Rs. 8,89,000 in 1860-61, and Rs. 14,40,000 in 1861-62, are required for *Roads*. About 9½ lakhs of this are needed for the completion of the Grand Trunk Road from Calcutta to Benares. The Roadway itself is for the most part

complete, but many Bridges\* remain, and the want of them must more or less affect communication during the rainy season. Considering the Military and Political importance of this Road, which is an integral Section of the greatest Trunk Line in India; considering also the unavoidable delay which has already occurred in its final completion; we cannot doubt the expediency of incurring the last mentioned expenditure, should the state of the Finances permit this. Then 7½ lakhs are required for

\* P. W. Despatch to Secretary of State, No. 15, dated 31st March 1860.

Reply from ditto, No. 53 of 1860, dated 24th July.

the construction of branch Roads, which are to be subsidiary to the Railways now in progress, and which are to feed those great Works by facilitating the passage of Roads and passengers from the interior to points where Rail communication will be available. The immediate interest of the State in the construction of these Roads is evident. If the Railways are to be financially profitable, they must succeed in attracting the traffic from all directions. If the countless streams of traffic are to be made to flow to certain points, and to converge upon certain centres, it is manifest that internal communication must be vastly improved in the Districts which are to be traversed. In the Lower Provinces especially, owing to the nature of the Country and the present state of the Roads, such improvement must be effected in order to secure for the Railways that amount of traffic which can alone make them profitable. Each successive financial year exhibits more and more the direct interest which the State has in these great undertakings. In virtue of the guarantees which have been given, we are disbursing large sums annually as interest to the Shareholders. Though these disbursements may partake of the nature of advances, yet they will continue, for some years to come, as a yearly charge upon the Finances: and the termination of these payments in the first place, and their ultimate re-payment in the next place, will depend on the amount of profits, over the 5 per cent. interest, which may be realized by the Railways. If, when the lines shall be opened, the various Roads in connection with them shall be found ready also, then a great traffic may be immediately obtained; the Railway profits may soon afterwards begin to exceed the 5 per cent. rate of interest, and the sums which are now being advanced by Government would be gradually, though slowly, repaid by

the application of a moiety of the excess of 5 per cent. profit which they may yield. But if at that time it shall be found that communication in the interior is still quite imperfect; that auxiliary Roads have not been advanced *pari passu* with the Railways; then the traffic and the profits will be less; the advances now being made might not be repaid; and, moreover, the profits might not in the first instance realize the guaranteed 5 per cent.; and then still further advances would be required from the Government. Hence arises the expediency of every effort being made by the Government for the advancement of those branch Roads which are to be feeders to the Railways.

5. In the Cuttack District (Orissa) there is a very important project for saving the City and District of Cuttack from disastrous floods, and for utilizing the waters of the Mahanuddes River for purposes both of irrigation and navigation. Some portions of this project are of an urgent nature, and the whole scheme is of consequence for the development of the resources of that important District. To this is to be added a project for extended Canal Navigation to connect the Ganges with Calcutta, and avoid the detour by the Sunderbunds, to which a part of the water traffic is at present subjected. We do not contemplate, at least at present, so large a project as Colonel Cotton's. But some measure is highly necessary to aid the growth of the traffic of the Lower Gangetic Valley, the increase of which is among the most gratifying circumstances of the time. A sum of money has been set down for Wet-Docks at Calcutta. This or some similar project, which shall quickly improve and extend the present accommodation which the River affords to trade, is urgently required for the Shipping at this the first Port in the Indian Empire. The inconvenience and consequent expense to which Shipping is at present subject in the Hooghly are well known.

6. Besides the Works comprised in the Return for the Lower Provinces, there is a valuable project for irrigation from the River Soane, in the Shahabad District of the Behar Province. No specific sum has yet been set down for this, but, without doubt, the execution of the project would vastly augment the resources of that District.

7. In the North-Western Provinces twenty-nine lakhs are required for the completion of the Ganges Canal, of its branches and its distributing Channels, of which it is proposed to expend eight lakhs during the current year and eight lakhs during the next year. It would indeed be difficult to point to an outlay which more immediately concerns the interests of the Government and of the people than this. This great Canal has been constructed at an enormous cost. Its utility will be almost entirely for irrigation rather than for navigation. But while the main Channel is generally complete, its chief branches and the minor branches which are to spread like a network over the surface of the Country, and to carry the fertilizing water to the fields and villages, are incomplete. Till these shall be completed, the people will not derive the full advantages that were intended for them; nor will the Government receive the water rent that has been laid out. In the meantime, the water

diverted from the Ganges at so great a cost cannot be made full use of; and consequently the Canal has not yet fulfilled the financial expectations that were entertained. On every account, then, it is expedient to incur this additional expenditure, without which the expenditure already incurred will not yield an adequate return. It is obvious that the completion of the minor distributing Channels should take precedence of that of the larger branches, as pointed out in the papers which accompanied the Governor General's Despatch, No. 10 of 1860, dated 18th April.

8. In the *Punjab* some sixty-four lakhs, or more than half a million sterling, are still wanted to complete the *Baree Doab Canal*. This great work is no doubt proceeding, but its progress is tardy, owing to want of sufficient funds. An additional expenditure of five lakhs per annum is needed here. One branch only of the Canal has as yet been opened; and on this alone can we at present allow funds for carrying out the minor distributing Channels. The opening of the remainder may be indefinitely postponed unless funds can be provided, and in the meantime the people do not receive the water for irrigation and the Government does not receive the water rent of the remaining branches of the Canal. The same argument used on behalf of the Ganges Canal applies to the case of this Canal also. Further, some outlay is needed to revise the levels of the Western Jumna Canals in the Delhi Territory. Owing to percolation of the water swamps are being formed and cultivation is suffering; and this evil will continue until the levels can be altered.

9. Considerable sums are urgently needed for the completion of the Grand Trunk Road from Delhi to Peshawar. It would be difficult to over-estimate the Military and Political importance of this Line. If the Trunk Road in the Cis-Sutlej States had not been partially completed previously to 1857, the recapture of Delhi in that eventful year would not have been possible. Notwithstanding

*Vide G. G. letter No. 7, dated 30th March 1860.*

Circumstances might indeed arise, under which the incomplete state of Trunk Roads might lead to

*Vide para. 45 of Ordinance on the Punjab Budget of 1861-62. Copy forwarded with P. W. Despatch No. 62, dated 22nd August 1860*

a renewal of the same amount of five lakhs for six years more.

10. In *Oudh* there are projects for several important Roads, on which it is desired to expend four lakhs during the current year and four lakhs during the next year, should funds be available. As yet the expenditure for material improvement in *Oudh* has been small. These Roads are now needed to connect the principal Towns in that rich Province with each other, and with the Marts in the adjoining Districts of the North-West Provinces; to subserve various Political and Military purposes; and to supplement the Railway communication now being provided for that part of India.

11. In reference to *Oudh*, the improvement of the navigation of the *Gogra River* has not been included in the *Return*. It would of course be most desirable to take this operation in hand for the

benefit of the commerce of those rich Districts, should the state of the finances permit.

12. In the *Nagpur Province* a system of Roads is much required. The projects, though not complete, are in progress. An outlay of several lakhs in this Province would be most beneficial. It is to be remembered that *Berar* is one of the principal Cotton Districts of India.

13. In *British Burmah* (*Pegu*) many Public Works are suspended from want of funds. Jails have to be built; Roads to be made; Dock-yards and Harbours to be provided; Navigation to be improved; and besides these there are Military Works of urgent importance, relating to Fortifications and to the Departments of the Ordnance and Commissariat, for which additional funds are required.

14. In the *Madras Presidency* sixteen lakhs are required during the current year, and sixteen lakhs during the next year, for important Works of irrigation, navigation, and communication; each one of which would immediately add to the resources of the people and of the State, but all of which are suspended from want of funds. Of these, four projects relate to Works connected with the *Lower Godavery*, and five to Works connected with the *Krishna*. Considering the happy results which have flowed from the operations conducted from these most valuable Rivers, we believe the present projects to be full of hope and promise for the improvement and extension of cultivation, the elevation of the people, and the facilitating of trade. Then there are two projects for Roads which are to serve as feeders to the Railways. These are postponed from insufficiency of funds; and to these cases the arguments used in regard to similar Roads in *Bengal* apply exactly.

15. But the most important of the Works deferred for want of funds in the *Madras Presidency*, is the project for the navigation of the *Upper Godavery*. For this nearly six lakhs of Rupees are required during the current year, and the same sum during the next year. This is one of the most important and interesting Works now under consideration in India. It will at once connect *Berar* and other Districts of Central India with the Eastern Coast, and will give an impulse to the production and export of Cotton. We shall provide some allotment of funds for this work as soon as the negotiations in which we are engaged with the *Nizam's Government* are brought to such a state as will enable us to do so with advantage; but it can only be at the expense of other useful projects, until we are provided with more extended means of carrying on Public Works.

16. In the *Bombay Presidency* Works on many Roads of great commercial importance are suspended for want of funds; such as various Lines to connect the South Mahratta Districts with Districts of the *Madras Presidency* and *Hyderabad*, and Roads in the Districts of *Ahmedabad*, *Surat*, *Ahmednugger*, *Candeish*, *Poona*, and *Sattara*. Then improvements are needed to the Docks at *Bombay*, and a Wet-Dock is required also.

17. In *Sindh* twenty lakhs per annum are required for various Works, among which may be noticed the important project for the *Sukkur Canal*.

18. Such, briefly, are the more noticeable Works in the *Return of Projects of Works* postponed for want of funds. The several Governments and Local Governments have entered sums which they consider might advantageously be expended during the next two years at about a



crore and a half of Rupees (or a million and half sterling) for each year. It may be doubted whether the appliances and Establishments at the command of the Government are properly adequate for so large an additional expenditure, even if the finances would admit of it, which indeed they will not. But twenty-five lakhs of Rupees (or a quarter of a million sterling) could be properly laid out in the current year, and half a crore (or half a million sterling) in the next year, in addition to the allotments of funds already made for Public Works. And some such expenditure we should desire to incur, if resources could be made available.

19. It is, we have to observe, most desirable that the expenditure on Public Works in India should be *regular and continuous*. If an extensive suspension of Works shall unfortunately have occurred, it is not practicable to recommence operations with a sudden impulse. If this be attempted, inefficiency of Establishments and insufficiency of control will certainly result. Trained and skilled Establishments of all grades can only be obtained *gradually*. If once dispersed, they cannot easily be collected again. There are no such markets for materials, or labor, or supervision, as would furnish resources in the emergencies which would frequently arise under that system. Whenever Public Works have been suspended from financial pressure, the loss to Government in manifold ways has always been very considerable. Public Works cannot be retarded one year and advanced rapidly the next year without injury to the interests of Government. The only means, therefore, for carrying on Public Works in an economical and satisfactory manner is to provide a sufficiency of funds that may be continuously available.

20. The above review will, we believe, have in some degree shown how very far the appropriations which the Supreme Government has been able to make for Public Works (see Despatch No. 62, dated 22nd August 1860), fall short of the actual requirements of the Country; and how severe is the need of additional resources to meet the important ends which force themselves on our attention. If the postponement of the

Works we have mentioned, and others like them, from want of funds, is to continue, then the progress of the Country will be retarded, the Revenues will suffer, and the general administration will be affected. Yet it will be impossible to provide for these Works without raising additional taxes for the purpose. It was under these circumstances, therefore, that we accepted the necessity of imposing the one per cent. Duties on Incomes, for Public Works. In India there are no Municipal Bodies, no County Authorities, to raise and expend funds for Public Works. All such arrangements devolve on the Government of India. The limited local funds which do exist are collected by the Government and expended by Government Officers. The Government is wholly responsible for the material improvement of the Country, and it must provide for internal development as well as for external defence, by means, if necessary, of new taxes. The one per cent. Duties, though appropriated for this specific purpose of internal improvement, and in some cases vested in Local Committees, will be expended on Works sanctioned by the Government, which Works will not only confer local benefits, but will also be connected with general projects for the improvement of the Country. They will facilitate and expedite the accomplishment of new Works, which, without such aid, the Government would have been left to undertake with its Imperial Funds, and those Imperial Funds will be made more free for application to strictly national undertakings.

21. We must not, however, be understood to expect that even all local requirements will be adequately met by the Duties of which we have been speaking: but upon this part of the question, and with reference to the subject of Lord Stanley's Despatch of 24th March 1859, No. 12, we shall address you hereafter, as promised in our Despatch of 28th August, No. 63.

We have, &c.,

CANNING.

H. B. E. FERRIS.

C. BEADON.

*LIST of Works exceeding one Lakh in cost, suspended or retarded for want of Funds.*

**MADRAS.**

Division or Locality.	Works.	Amount of Estimate.	Amount expended.	AMOUNT RECOMMENDED TO BE SPENT.			REMARKS.
				In 1860-61.	In 1861-62.	Thereafter Annually.	
Godavery.	1 Diverting Mossidevi Channel to Musulipatam ...	Rupees. 1,45,099	Rupees. ...	Rupees. 48,363	Rupees. 48,363	Rupees. 48,363	This project provides for a change in the Terminus of, and for a further improvement to a Canal designed both for irrigation and navigation branching from the Pulairu at a point not far from the Town of Weyar and running along the Eastern bank of the Krishna, until it reached tide water at the Village of Mossidevi, which Terminus it is now proposed to abandon by arresting the Canal at the Village of Nadkudru, and continuing the Channel in an Easterly direction to the Town of Musulipatam. A further improvement is to construct a branch from the new Canal at a point a little to the North-West of Chinna Yadra, and to terminate it in an arm of the Krishna near Wandapalayam.
	2 Works of Irrigation and Navigation, Central Delta ...	3,15,932	2,19,810	32,042	32,040	32,040	For completing the Godavery project between the two great arms of the River, and for supplying the deficiency in the means of irrigation and of water transport in the greater part of the Central Delta constituting the Amlapur Taluk.
	3 Canal from Samalkotta to Tuni ...	2,34,306	23,327	69,660	69,659	69,659	This project is in continuation of that from Dowlaishwaram to Samalkotta, and will form a continuous line of water communication, 152 miles in length, from Tuni to the Northern part of Rajahmundry.

District or Locality.	Works.	Amount of Estimate.	Amount expended.	Amount recommended to be spent.			Remarks.
				In 1860-61.	In 1861-62.	Thereafter Annually.	
Upper Godavary	3 Canal from Samalkotta to Tuni ...	Rupees. 2,34,305	Rupees. 25,327	Rupees. 69,360	Rupees. 69,659	Rupees. 69,659	<p>mandry to Inganampani, six miles S. with of Gun- 1 or This line will constitute a portion of the intended East Coast Canal. The portion of the Lane between Bezavada and Elhur in the Krishna District is under process at the present time, and will be completed probably by the end of the ensuing official year; and from Bezavada to Inganampani is still under restriction.</p> <p>This Canal, termed the Grand Junction Canal, is intended to complete the communication be- tween Masulipatam and Cocanada, the latter place being connected with the East Coast Ca- nal by means of the Samalkotta Junction. The connecting link between Mogulur and Masuli- patam in the Krishna District has also to be made. This Estimate has since been revised by Captain Rundall. The revised Estimate is Rupees 4,19,900 and has not yet been submitted to Government for sanction.</p>
	4 { Canal from Mogulur to Cocanada Revised Estimate dated the 5th November 1859.	Rupees. 1,22,357 4,19,900	Rupees. .....	Rupees. 40,797	Rupees. 40,785	Rupees. 40,795	
Krishna	5 Navigation Works ...	29,25,000	...	5,75,000	5,75,000	5,75,000	<p>To open the navigation of 473 miles of the Goda- very and Wurda Rivers.</p> <p>This project for extending the irrigation from the Krishna Aneut by a branch from the Pulairu on the left bank taken off near Weyur and carried along the margin to tide water at Mossidevi. This branch will irrigate a wide tract between the River and the Pulairu and open a water commu- nication from Masulipatam as far as Brampatam.</p>
	6 Channel of Irrigation from Pulairu to Mossidevi ...	1,48,797	46,689	34,370	34,369	34,369	

7	Widening the Tungabhadra Channel	2,40,417	1,57,970	20,274	28,273	.....	This project is for widening the Tungabhadra Channel or Main Duct from the Krishna Aicut on the right bank for a further distance of six miles from Vudlapada to Dagaralla, cutting a continuation of the same on a high level to Nizampatam and completing the Lack and Kalngal at Kuchupuda and constructing another at Intur.
8	Channel from Vallabapuram to tide water on the Guntoor bank of the River	1,39,700	12,478	42,408	42,407	42,407	For bringing under cultivation a large extent of land which will yield a return of at least a lakh of Rupees per annum, and also for navigation to tide water near the mouth of the Krishna.
9	High level Channel from Bezavada to Inganam-padu, six miles South of Guntoor	1,46,757	29,957	38,944	38,943	38,943	For watering all the land under the command of the Krishna Aicut in the direction of its course, and for forming part of the East Coast Canal.
10	Channel from near Inganampadu to near Inhole.	3,26,100	.....	65,220	65,220	65,220 Each year for three years.	For extending the high level or East Coast Canal from the Krishna Aicut at Bezavada, the additional length being thirty-nine miles. By means of this extension water will be carried to the Southern boundary of the Guntoor District. The improvement in question will ensure a steady supply of water, and be attended by ample returns in an increased Revenue.
11	Canal from Dugarazapatam to Kistnapatam	None submitted	.....	1,00,000	1,00,000	Cannot be stated	To extend the Eastern Coast Canal Northward.
12	{ Road from Kazipet to Nundial }	60,000 54,000 Not yet submitted to Government.	.....	50,000	50,000	14,000	{ To serve as a Feeder to the North-West Line of Railway.
Nellore							
Cuddapah Kurnool							

DISTRICT OR LOCALITY.	Works.	Amount of Estimate.	Amount expended.	AMOUNT RECOMMENDED TO BE SPENT.			REMARKS.
				In 1860-61.	In 1861-62.	Thereafter Annually.	
Chingleput North Arcot	13	Palar Anicut	Rupees. 2,29,273 5,72,571	Rupees. 1,00,000 1,00,000	Rupees. 1,00,000 1,00,000	Rupees. 86,949	{ To carry water from the Palar River to numerous Tanks. Anicut built in 1854-55, but Channels not completed.
Tinnevely	14	Tambrapuran Anicut	3,85,000	1,00,000	1,00,000	3,85,000	To improve and extend the irrigation under the Tambrapuran River.
Cambatore	15	Kunar Ghat	None submitted	1,00,000	1,00,000	Cannot be stated ..	To connect the Nilgiri Hills with the Railway.
Malabar	16	Tambracherri Ghat	2,04,000	1,00,000	94,000	.....	To facilitate access to the Wainad District.
Civil Architect	17	Junction Canal, Madras	3,58,300	1,00,000	1,00,000	1,59,300	To connect the North and South branches of the East Coast Canal.

LIST of Works exceeding one Lakh in cost, suspended or retarded for want of funds.  
BOMBAY.

District or Locality	Works.	Amount of Estimate.	Amount expended.	AMOUNT RECOMMENDED TO BE SPENT.			REMARKS.
				Rupees.	Rupees.	Thereafter Annually.	
Bharwar	1						
	Portion of Trunk Line from Bellary to Coimbatore, within the Bombay Presidency.						
Ditto	2	2,85,406	...	50,000	50,000	50,000	Project complete.
	Portion of Trunk Line from Bellary to Sadasheogur within the Bombay Presidency. Moorum Road, with Bridges and Culverts						
Belgaum	3	3,55,931	11,169	50,000	50,000	50,000	Ditto.
	Bridged Road from Vingorla via the Parapolee Ghat to Belgaum	5,60,119		1,00,000	1,00,000	1,00,000	Ditto.
Ratnaghery	4						
	Bridged Road from Waghon to the top of the Phonda Ghat	1,17,472	41,393 } On the Ghat	60,000	..	..	Ditto.
Sattara	5						
	Trunk Line from Hurrhur to Ponda. Culverts between Potamburte and Soutgate in the Phonda Moorum Road, with Bridges and Culverts from the Werna River via Kurar to Sattara	5,01,220	2,893	50,000	50,000	50,000	Ditto.
Ditto	6						
	Road from the foot of the Koombarlee Ghat to Kurar (Trunk Line from Chiploon to Hyderabad)...	6,52,916	4,51,039 } Up to 30th June 1860.	50,000	1,21,277	...	An Estimate for continuing the Road to the Coast at Chiploon is nearly ready.

DISTRICT OR LOCALITY.	Works.	Amount of Estimate.	Amount expended.	AMOUNT RECOMMENDED TO BE SPENT.			REMARKS.
				In 1860-61. In 1861-62. Thereafter Annually.			
				Rupees.	Rupees.	Rupees.	
Sattara	7	1,19,210	...	50,000	69,210	...	Project complete.
Poona	8	4,75,495	.	80,000	50,000	80,000	Project complete with exception of Bridge over the Neera.
Ditto	9	5,19,928	...	1,00,000	1,00,000	1,00,000	Project complete.
Ditto	10	4,62,142	...	1,50,000	1,50,000	1,50,000	Ditto.
Bombay	11	1,74,074	1,569	1,00,000	Not given.	Not given.	Project complete. A portion of the reclamation estimated to cost Rupees 60,567, has been sanctioned by the Government of India, but the work is postponed from want of Funds.
Ditto,	12	1,72,304	6,732	86,000	79,552	..	Project complete.
Ditto	13	1,19,578	...	1,19,570	...	...	Ditto.
Ahmednuggur and Khairat	14	2,33,334	.	1,20,000	1,13,334	..	Project complete The work might be completed in 1861-62.



Surt	15	Road from Bulat to Nassick and Balda, Pader and the Dhurumpoor State	1,12,370	...	50,000	Not given.	Not given.	Estimate for the continuation of the Line through the Dhurumpoor Territory to Rajbari, up to which place the Road from Nassick is completed, is nearly ready.
Ahmedabad	18	Trunk line from Gogo to Ahmedabad :— Metalling the por- tion between Go- go and Vertej ... 21,885 Completing Em- bankment be- tween Vertej and Dhundooka . 63,867 Masonry Bridge over the Bhogawa River ... 1,00,819	1,86,571	...	60,000	Not given.	Not given.	Estimates for completing the Road as an embanked metalled Road have been called for.
SINDH.								
Kurrachee	1	Lunatic Asylum at Kurrachee	1,00,315					Project complete.
Ditto	2	Metalling and bridging Road from Kurrachee to Tatta	2,32,649					Ditto.
Ditto	3	Canal from Kurrachee through Jacobabad Dis- tricts	10,91,682					Project incomplete.
Hydrabad	4	Canal from Roree to Hydrabad	27,79,383		1,50,000	2,00,000	2,25,000	Project complete.
Ditto	5	Road from Hydrabad to Kotree	1,46,267					Ditto.
Shikarpoor	6	Canal from Sukkur to Shikarpoor	6,98,306					Ditto.
Ditto	7	Locked Channel for rapids at Bokkur	1,78,971					Ditto.
Ditto	8	Metalled Road from Sukkur to Shikarpoor	1,79,968					Ditto.
		Total	54,07,540					

*LIST of Works exceeding one Lakh in cost, suspended or retarded for want of Funds.*

**BENGAL.**

**LOWER PROVINCES.**

DISTRICT OR LOCALITY.	Works.	Amount of Estimate.	Amount expended.	AMOUNT RECOMMENDED TO BE SPENT.			REMARKS.
				In 1860-61.	In 1861-62	Thereafter Annually.	
		Rupees.	Rupees.	Rupees.	Rupees.	Rupees.	
2nd Division Grand Trunk Road	1 A Bridge over the Burrakur	5,37,178	1,07,435	1,00,000	1,00,000	1,00,000	Exclusive of the Iron Work obtained from England now in store in Calcutta. A sum of one lakh has been included in the Budget for 1860-61, one-half of which, viz. Rupees 50,000, has been sanctioned.
Ditto	2 A Bridge over the Booryah.	3,48,369	69,674	50,000	80,000	80,000	
Ditto	3 A Bridge over the Morhur.	3,47,486	1,15,520	50,000	80,000	50,000	
Road between Debroghur and Gola Ghat, in Upper Assam	4 Masonry Bridges to replace Timber Bridges	2,00,000	Partially commenced	40,000	60,000	60,000	A revised Estimate for these two Works has been received and will be shortly submitted.
From Raj Ghat to Cuttack, to Pooree & to Ganjam	5 Cuttack Trunk Roads	About 5,00,000	Not commenced.	1,00,000	2,00,000	2,00,000	
Calcutta	6 A Building to accommodate the General Post and Electric Telegraph Offices	3,23,792	...	1,23,000	1,00,000	1,00,000	
Behar	7 Canals from the Soane connected with Irrigation Works	80,00,000	..	10,000	5,00,000	10,00,000	Project not completed.
Calcutta	8 Presidency and Medical College	8,00,000	..	2,00,000	2,00,000	2,00,000	
Ditto	9 Civil Engineering College	3,60,000	..	1,20,000	1,20,000	1,20,000	

District or Locality	Works.	Amount of Estimate	Amount expended.	AMOUNT RECOMMENDED TO BE SPENT.			REMARKS.
				In 1880-81			
				Rupees	Rupees	Thereafter Annually	
Cawnpore	1 Barracks and Hospital for European Infantry	3,00,000	Rupees. 3,00,000	Rupees Not given	Rupees Not given		
	2 Barracks for European Infantry and Artillery	7,00,000	7,00,000	Ditto	Ditto		
	3 Barracks for European Infantry and Artillery	3,50,000	3,50,000	92,913	Ditto	Ditto.	
	4 Barracks for European Infantry and Artillery	7,00,000	7,00,000	2,00,000	Ditto	Ditto	
	5 Constructing Storehouse and accommodation for Run and Mail Luggage	Not given	Not given	50,000	Ditto	Ditto	
" Murzapoor to Kutra Pass.	6 Civil Outlets	Not given	50,000	Ditto	Ditto		
	7 Bridging the portion of the Great Dehra Road in charge of Civil Engineer, North-Western Provinces	Not given	61,116	Ditto	Ditto.		
2nd Division Great Dehra Road	8 Repairing and rebuilding of the Dehra Road	1,00,000	1,00,000	Ditto	Ditto		
	9 Putting in new earth in the North Division Ganges Canal	1,00,000	1,00,000	Ditto	Ditto		
North Division Ganges Canal	10 Altering the old and new lines of the Ganges Canal	1,00,000	Not given	Ditto	Ditto		
	11 New line of the Ganges Canal	1,11,300	1,11,300	Ditto	Ditto		
Lower Central Division, Ganges Canal	12 General Works on the line, Head Works, and putting in new earth in the Ganges Canal	1,32,117	22,000	Ditto	Ditto	Expenditure already incurred on Head Works and preliminary surveys.	

*LIST of Works exceeding one Lakh in cost, suspended or retarded for want of Funds*

PUNJAB.

DISTRICT OR LOCALITY.	Works.	Amount of Estimate.	Amount expended.	AMOUNT RECOMMENDED TO BE SPENT.			REMARKS.
				In 1860-61.	In 1861-62.	Thereafter Annually.	
West Raves	1 Road from Lahore to Peshawur	Rupees. 1,62,00,000	Rupees. 72,00,000	Rupees. 5,00,000	Rupees. 5,00,000	Rupees. 5,00,000	The Works of the Lahore and Peshawur Road, after a suspension of nearly three years, were resumed at the close of 1858, upon a very reduced Estimate, framed simply with the view of rendering the Road fairly passable. This Estimate amounted to eleven and a half lakhs, of which three lakhs have been spent. The rate of expenditure laid down here will admit of completion to the extent provided for about the close of 1861; but the Road will still be unmetalled and some important streams unbridged.
	2 Tunnel under the Indus	Rupees. 5,00,000	...	1,50,000	2,25,000	2,25,000	Not estimated for, and may be considered with the above project. Of the suggestions thrown out for establishing permanent communication across the Indus, the construction of a Suspension Bridge had long been accepted as the means best adapted for so rapid and formidable a current, but the project was set aside on account of the scarcity of funds. Major Robertson has now, however, brought forward his project for tunnelling under the River, and His Excellency the Governor General has sanctioned an expenditure of Rupees 10,000 for an experimental Shaft which will be completed about the middle of 1861. That the Ferry established in this locality during the Monsoons is a dangerous and inefficient means of transit is sufficiently shewn by the many disasters that